

A N
A P O L O G Y
F O R

Sir Robert Sutton.

Summum Jus, summa Injuria.



L O N D O N :

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A N

APOLOGY, &c.

TO appear in the Favour even of Merit, impleaded by a powerful Party, may be esteem'd; *in prima facie*, an officious, if not a dangerous Undertaking. But when the Virtuous are attack'd, it is the Business, sure, of every Man, any thing attach'd to Virtue, to offer every Thing agreeable to Truth and Reason in its Defence. Nor are such generous Minds to be aspers'd with the Title of *Busy-Bodies*, or to regard such Censures, if such should fall to their Lot, as any other than the Overflowings of Ignorance, Avarice, or Prejudice. If the well-known Maxim, which I have made my Motto, be allow'd to be true, I shall not allow myself to apprehend, or doubt the favourable Aspect of the Considerate and Unbias'd. Self-Interest or Spleen may then run their largest Lengths, I shall not be under any Terror so

long as the Honest and Unprejudic'd, who alone are the Persons I would address to, will declare themselves in my Favour. Inadvertencies, with all such, are sure not to be constru'd Crimes; since even Justice put upon the Tenters, by them will stand confess'd more criminal than any Inadvertence whatsoever. Every Person, actuated by common Reason, must forcibly agree, that one Vice, much less one Inadvertence, ought not, with the Impartial, to be look'd upon sufficient to over-balance, even in the Balance of the Temple, conspicuous Virtues much more in Number. It was a Question with a *Roman* Historian upon one of its Emperors, Whether he abounded most in Virtues or Vices? But I dare set at Defiance even the Bigots of Mammon or Spleen, who, I persuade myself, are the only Persons I shall have to oppose me, to prove any other Failing upon the Subject of this Apologetique, as to the Matter in Question, than a few Inadvertencies; and, at the same Time, I dare frankly appeal to the Judicious, nay even to the Suffrage of his very Enemies, if his great good Character in the Eye of the World, unless they will hook into their Aid his excellent Sense, does not appear to be the main Blemish, which those
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very Enemies of his have been able to find out to lay to the Charge of Sir *Robert Sutton*. He is the Gentleman whom, out of a real Affection, and Sense of his Integrity, I now appear for: And whatever may be the Success, I hold myself oblig'd, not in Interest but good Conscience, to set his unhappy Circumstance in a fair and true Light, that even such as are out of a Capacity of doing it, may with him Justice, and at the same Time be convinc'd, that what they wish is nothing unsuitable to what is strictly just. But in order to make this more obvious, I must, before I enter further into Particulars, let the World into some Account how the Gentleman was first unfortunately drawn into this Affair; which will lead me, in Course, to observe his Conduct and Behaviour after; and answer, as I go along, such Objections, as have seem'd to contribute to the questioning his Character. In which, (I mean the Objections against him,) if I am necessitated to make use of Comparisons and Recriminations, I hope the candid Judges will excuse me, tho' I expect to want the Approbation of such as shall find themselves, however unavoidably, affected. I bear no Malice to any Man; and to evince as much,

I here promise, that Truth, and true Reason, as far as I am Master of it, shall be my only Guide.

In the Year 1725, pretty near the Close of it, the Affairs of the *Charitable Corporation* for Relief of industrious Poor, by assisting them with small Sums, upon Pledges, at legal Interest, having long seem'd to labour under a lag Wind, it was thought necessary by the then Proprietors to look out for some fresh Proprietors or Subscribers, Persons of Figure and Substance, who might give a Spirit and Countenance to the Undertaking. Among those propos'd Sir *Robert Sutton* was pitch'd upon; his known great Character and Affluence of Fortune being Stars bright enough to direct their Observation. According to which Resolution, a Pair of *Sweetners* of that Society were detach'd for the Purpose. Sir *Robert* was never look'd upon as an avaritious Person, nor under the least Necessity of seeking out Ways and Means to encrease his Fortune. And indeed under the Truth of each of these Characters they found him: For after many Baits were offer'd from the Considerableness of the Persons concern'd, and the vast Advantage likely to accrue, and the Offer of nominal Shares at half Price,
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all their Lip-Oratory could obtain, amounted to no more than a cool Answer; that he would consider of it. But not at all inclin'd to let it rest on that Foot, some Time after, when Sir *Robert* had remov'd with his Family to *Hammersmith*, the same Persons made a Tour thither, resolv'd to accost him again on a new Topick, *viz.* the Charitableness of the Work (according to the Title of the Charter) in the general Good intended to the poorer, but industrious Part of Mankind. One of the *Sweetners* was so sure of his Success on this Foot, that he carry'd down along with him the Transfer Book of the Corporation. And indeed in that he was not mistaken: For their Arguments were so plausible, and back'd with such Importunity, that Sir *Robert* unhappily suffer'd himself to be prevail'd upon; and, before they left him, set his Hand to the Book as a Subscriber. No Money was at that Time insisted on; and tho' they had offer'd Sir *Robert* nominal Shares, as they call'd them, only 50*l.* per Share for every Share, when Sir *Robert* some little Time after went to Town, 100*l.* for every Share was demanded, and 500*l.* paid down accordingly without Hesitation or Objection, notwithstanding their original Declaration
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and Offer. Thus enter'd, Sir *Robert* attend-
ed soon after a General Court, and then
and there declar'd, That as he was wholly
inconversant in Accounts, or any Affairs of
the like Nature; and as the Publick had,
and might again, exact his more immediate
Attendance, altho' he had enter'd himself
by his Subscription into the Society, he must
be excus'd any Frequency of attending, and
the most he could propose to them would
therefore be the constant Assistance of his
good Will and good Wishes. However he
told them he should be the better satisfied
under his own Incapacity and Inutility, since
he found Affairs under the Care and wise
Management of Persons long at the Head
of them, and for that Reason so well quali-
fied, that his own Appearance would be
little necessary, and consequently little mis-
sed. But let Sir *Robert* be as unuseful as
ever he pleas'd in his own Opinion, their
own Interest drew them to make a better
Use of his Modesty, (for themselves I mean,)
and it was strenuously, tho' not officiously,
divulg'd in all Companies, and to all Per-
sons, that they had obtain'd the Counte-
nance and Subscription of a Person of Sir
Robert's known great and good Character.
His Enemies, which I shall take a little
more

more Notice of hereafter, have since made that great and good Character, a Matter of great Objection against him, and alledge it serv'd to draw in others; and I cannot deny, that if it should happen to be allow'd a wise Objection, it may be allow'd the only just one they ever made; for I question much whether all their Characters join'd together would have had any like Influence. So dangerous a Thing is even much *Merit* when trusted in the Hands of the *Designing*! But this brings to my Imagination, another Motive for their pitching upon Sir *Robert*, as a Person that might do the Corporation the highest Service. His imagin'd Interest at Court (where if *Merit* could have plac'd him, their Imagination might have amounted to Realities,) was a main Spur to their Ambition. They were too well satisfy'd, long before they obtain'd his Subscription, that their Society, under the Limitation of 30,000 *l.* their original Sum, nor their additional Licence to make it up 100,000 *l.* which was obtain'd in 1722, long before Sir *Robert* subscrib'd, could never have it in their Power to answer the Necessities of those, whom the Corporation was in its first Institution design'd to relieve and assist; and consequently could no way answer any reason-

able End of such as should engage to be at the Charge and Trouble of undertaking the Trust. And in this, no doubt, they reason'd right: For if those call'd *Parmenters*, in and about *London* and *Westminster*, annually employ above 200,000*l.* to eat up and devour the Poor and Necessitous; sure a less Sum could never be imagin'd sufficient to save, and deliver them out of the Hands of those *Harpies*. But without insisting upon the Justness and Veracity of the Calculation, which is in a Manner foreign to my present Purpose, I proceed. Sir *John Meers*, Sir *Fisher Tench*, Mr. *Grant*, since become Sir *Archibald, Dennis Bond*, Mr. *Gascoigne*, and Mr. *Oaker*, were at the Head of Affairs when Sir *Robert* came in; Men well known to be Men of Figures, and tho' none of 'em more than personally known to Sir *Robert*, upon his previous Enquiry, were allow'd in the Eye of the World to be competent to what they had undertaken. Nevertheless I must observe, *en passant*, that as little as Sir *Robert* was conversant in Accounts, upon his Entry, Affairs were put under a better Regulation, and its old sleepy Methods began to revive into more spirituous Models; at which Time (as says the *Report*, p. 29,) the Corporation began to enter into full

full Business. Nor was this the only Obligation the Corporation had to Sir *Robert*; for having discover'd some dis-ingenuous Practices in one of the Committees, which might have a dangerous Tendency, he us'd all his Interest, and his Zeal was attended with the desired Effect, and the Party next Election was excluded. However, [this oblig'd Sir *Robert* to give more Attendance than he at first intended, and had stipulated against: But in all his Attendances, I hope to make it evident to unprejudic'd Understandings, that he was intirely actuated by Probity, and free from any Design that was sinister or selfish. And if he was imposed upon by those he confided in, the Disaster was so far from being a Singularity, that I may appeal to the Experience of all Mankind for its Frequency. As a Proof of his Probity, I shall beg Leave to instance one or two Particulars of Persons, who according to a Vote of the Committee had forfeited their Shares by Non-payment of their Calls, some of which were allotted to Sir *Robert*, who upon an After-application of the several Parties, return'd their Shares without any Advantage for the Payment of their Calls: Tho' I am very sensible (and so were some others that are now sneaking Oppugners,) that this was a generous Precedent, not

followed by others of his fellow Committee-Men. But this Instance is but one of many I shall have Occasion to mention, as I trace his future Attendances at their Committees; in doing which, if for want of original Authorities I take mine from the Report itself, printed by Order of the House of Commons, I hope, for his own sake, no Man will be found so hardy as not to allow 'em *authentick*.

And first of all, that Report in Sir Robert Sutton's own Examination (p. 74.) (to which I must crave Leave to refer my candid Peruser, to avoid Prolixity and somewhat else) admits of what I have offer'd as to his Stipulation for Non-attendance. But lest it should be objected to, as only an *ipse dixit*, I will take the Liberty to offer, what in their Opinion may be of more Weight, and which at all Events they cannot oppose, in an Appeal for the Truth thereof to the Committee themselves then acting. Humbly offering however to the Consideration of every unprejudic'd Person, that in our highest Courts of Judicature, tho' a Man's own Oath will not make him innocent, or prove the Fact, yet so great a Deference was ever paid to Character, that every Thing averr'd shall be of Weight, 'till invalidated by the Evidence
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of Persons of equal Credit. And if Sir Robert's Declaration on his Examination upon Oath may be allow'd the same fair Quarter, I fear not to set his Affair in so bright a Light, as even to make his Enemies ashamed that they wish'd him criminal. But I hope I may with Impunity observe, by the by, that Hurry from a Multiplicity of Affairs has not unfrequently been the Occasion of Mens passing wrong Judgments. Even in our Courts of Justice, some have found themselves in Danger of being harangu'd out of their Estates, and Lives too, 'till a Re-hearing has corrected the first dangerous Error; when by laying Things coolly together, and comparing and digesting the Evidence, the Judge and Jury have found themselves set to rights, to the Relief of the Party likely to be injur'd. And if my Leisure may be sacrific'd to the Redress or Prevention of any like Inconvenience, Men of Reason will not only pardon the Attempt, but wish, what is my only Aim, Justice may be done to the Aggriev'd, in the Success of such honest Endeavours.

Having digress'd thus much on Sir Robert's Examination, I shall leave it on the Foot it stands in the *Report* itself, and go back to p. 29, where I must crave Leave to observe,

observe, because I may have Occasion to make use of it hereafter; that just after that Paragraph, which puts the Corporation into full Business, there is this other very material one; That by a *General Court* of the 2d of *November* 1725, the Powers establish'd in the said Court by Charter to choose Officers, and to perform *all other Matters relating to the Corporation*, were devolv'd on the *Committee*; whereas in the Page following, near the Bottom of it, it is said a Committee of Accounts was establish'd without the Knowledge or Approbation of a General Court. But as it is not my Intention to intermeddle with any Thing that does not immediately concern *Sir Robert*, I will leave the Reconcilement of those two Paragraphs to the Labour of such as may stand in need of 'em, and proceed to p. 31.

In which begins the State of the Fund of the Corporation. Whereupon I crave Leave only to take Notice, that to the Year 1725, the Stock was merely Nominal. However, if the Honourable Examiners had been pleas'd to have ask'd the Original Proprietor proper Questions, he could not only have resolv'd, why they found no Account Books, but how the Debts came to amount to the Sum of 5,000 *l.* and why there stated as Money

ney paid into the Fund. And perhaps such Enquiries might have led them into the Satisfaction, that 'till the latter End of that Year, when Sir *Robert* was unfortunately prevail'd on to enter, their whole Management was nominal as well as their Stock. But having acquir'd his Subscription, his Capacity, as well as his Character, enabled them not only to make Calls within themselves, but to call in others, who 'till then, might have no very good Opinion of their Foundation. To corroborate this Imagination, we find in *November* 1725, (soon after Sir *Robert* was enter'd) 21,900 *l.* paid in upon Calls, a Sum they had never seen before; and I suppose (for let his Enemies make what Use of it they please, I dare grant it) his Example might be of great Emolument to the Success. Again in *October* 1726, another Call was made, and 11,908 *l.* 15 *s.* was paid in; and on or before the 28th of *March* 1727, was paid in the further Sum of 10,291 *l.* 5 *s.* and so on, to the compleating the 100,000 *l.* their then Capital.

Upon this, doubtless, it was, that the Proprietors sensible, for the Reasons hinted at before, that their Fund was yet too short to answer the Exigencies of the Necessitous, prevail'd upon Sir *Robert* to make use of his
Interest

Interest for the Enlargement of their Fund in the Year 1728. He confesses as much in his Examination; and very plainly and specifically sets forth the Grounds and Motives he went upon. And sure the subsequent Resolution of the *General Court* held the 11th of *March* following, (as in p. 33.) must be deem'd sufficient to justify the Action, and assert the Merit. For whatever Use others might intend, or make of it, he had no sinister Ends; unless, (which sure would be severe, if not unfair,) his giving Orders to his Agent *Mr. Lamb*, just on his going abroad, to purchase a Number of Shares for him at the Market Price, should be so mis-interpreted. He gave the same Orders for a lesser Number to *Thompson*, of whose Integrity he had then no Question; but to both without any Limitation of Time. And I would here only ask the most inveterate of his Maligners, Which of 'em would not have done the same? Or what fair and honest Man can arraign the Justice of the Proceeding? But to give it somewhat of a Face, I know it has been objected that he sold out at a higher Price; and where had been the Crime, if true? Would not a Repetition of the same Queries upon the Objections stifle the Objections? And Questions are often allow'd
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in Logick, to be the best Answers to invidious Querists. But to quash all Clamour, I will set the Fact in a faithful Light; and if I am rightly inform'd, (as I have very good reason to believe I am,) Sir *Robert* never fold out any of those Shares out of *pure Lucre, but Necessity*. He could not otherwise have made his Payments duly (as was ever his known Usage) on the Shares, that still remain'd in his Hands: And as a Proof of what I have alledg'd, over and above the Amount of the Shares so parted with for that Purpose, he was oblig'd to part with an Annuity of eight or nine hundred Pounds, to compleat the requisite Sum for his Payments on the Shares remaining; which no Man would have done, that could have prevail'd upon himself to have given a Preference to Interest before Honour: But tho' others might, and perhaps did, take other Courses, Sir *Robert* hated clandestine Things, and scorn'd a mean one. As to the last Licence of *July 1730*, his Examination gives so candid an Account of it, that must stop even the Mouth of Cavil itself; as to him I mean; for the Cavillers, if there should happen to be any, must imagine Sir *Robert* to be as impudent as themselves, to assert for Truths, what would be

in the Power of almost any inquisitive Person to confute.

This is all I shall offer on that Head. And if, in my future Observations, I omit taking Notice of many, or most, of the Committees referr'd to in the *Report*, (which is my main Authority) where Sir *Robert* was not present, I do it upon the Sanction of his original Stipulation, That other Affairs call'd on him for other Attendance; and therefore, I shall be allow'd a proper *Ergo*. Only observing, *en passant*, that Sir *Robert* was not present at any of the Courts where the Checques were taken off; tho' others were so, who would prop up their own Integrity by arraigning his; the common Resource of Guilt or Pusillanimity.

I shall on that Consideration pass over some Committees recited, and proceed to p. 38. Where I find Sir *Robert* in a Committee censur'd for passing an Order, that was one of the great Sources from which their Losses arose; *viz.* That all Borrowers might negotiate their Business with this Corporation, either by themselves, or such Brokers as they think proper. An Order, that might reasonably serve the Brokers for a Jest, as giving them nothing but what was not in the Power of the Corporation

to deny 'em. However, tho' all Mankind should agree with the Honourable Censure, Sir *Robert* might be neither criminal or culpable, unless he is to be accumulated with other People's Abuses; and then what Mortal can act safely in any publick Concern? From his Inconversation in Matters of that Nature (for I never heard it once laid to his Charge, that he much visited *Change-Alley* as a Stock-Jobber) might he not fairly be suppos'd to be without the least Notion of any such dangerous Tendency? Or, since it is apparent he never did, or perhaps never could, reap any Advantage from it, must he stand condemned for want of Prescience? Or will they make his Integrity the Martyr of Inadvertency? If I may be allow'd to speak my Mind freely, I would say, whatever the Event, Not barely Sir *Robert*, but most of that Committee, might, before an honest Jury, stand acquitted of any Thing but Malice prepense to themselves. A bad Use of it might be made, and, no doubt, there was so; yet as I believe none of 'em pretended to the Gift of Prescience, none but those in the Secret could foresee any such Thing. And if they got nothing, but on the contrary were sure to be Losers by such an Order, I leave it to their Adversaries,

whether they ought not to be voted as Ideots, rather than undergo the Mulct of Criminals. Sure I am, the very subsequent Order, in the *Report* I mean, of the 28th of *July* 1727, was of a more dangerous Tendency, in giving such extensive Powers to a single Person who was a diligent Actor in every Part of their Tragedy: And yet *Sir Robert* was not there, nor is the Order itself censur'd, as the other; tho' more within the Sphere of human Knowledge and Fore-sight.

As, to the several following Examinations, to p. 46, Nothing, in any of 'em, appearing to affect *Sir Robert*, I shall pass 'em in Silence. And the five subsequent Committees, mention'd, in that and the next Page, were before he had subscrib'd; wherefore, was any thing then transacted at all questionable, *Sir Robert* should not, in common Equity, be deem'd responsible. Nor should I mention the Contract with *Jones*, which some of the Proprietors have not fail'd to flourish upon, were I not well assur'd that *Sir Robert* was so far from being privy to the Making of it, that so soon as it arriv'd to his Knowledge, it so disgusted him as to make him complain of it to some of the Committee, who the next Election, excluded that Committee-man, who, among other

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disingenuous Practices, detrimental to the Corporation, had been the greatest Abettor and Promoter of it; and accordingly he was excluded the next Election.

At a Court of Committee held the 18th of *November*, 1727 (as in p. 49) Sir *Robert* was Chair-man. Where and when were pass'd two excellent Orders for the Regulation of the Corporation. But as they are barely mention'd, without either Praise or Dispraise, I shall leave 'em on the Foot I found 'em. But surely I ought to reckon myself blame-worthy, should I omit to take Notice of what Mr. *Wainright* declares in the *Page* following. When being examin'd as to the Notes issu'd or prepar'd for that Purpose, altho' he confesses, that he had heard Sir *Robert Sutton*, and others of the Committee, say, That the said Notes were fill'd up by the Consent of the Committee, (tho', as he says just before, he believes they were never issu'd;) so being *nicely* interrogated after, if Sir *Robert Sutton* was present when the said Notes were fill'd up, he made Answer, That he was certain Sir *Robert* was not present: But he has heard Sir *Robert Sutton* declare, that *he*, Captain *Molefworth*, and others, were present when the said Notes were burnt; all which I leave with the sharpest

sharpest of Sir *Robert's* Enemies, to make what Use of it they please. The like Freedom they may take with the following Transaction of Mr. *Torriano*, who very prudently sent the Key, with a Letter to Sir *Robert Sutton*, intimating his Dissatisfaction, and the Reasons of his taking that Method. And what I pray did Sir *Robert*? Why truly he deliver'd both Letter and Key to the Board, who order'd the Key to the Squire; which was no more, nor less, than he ought to have done, let Mr. *Torriano's* Reasons be never so strong and convincing. But if an ill Construction should be made of that Piece of Obedience, I will only desire my candid Peruser to turn to p. 52. of the *Report*, and observe who were present as Committee-men or Assistants, because I may have an Occasion to make further Observations upon it, which may be very instructive hereafter.

The next Thing that falls under Enquiry, is the Debt of 44,400*l.* arising by Bonds. Upon which I must crave Leave to observe, *First*, That the Treaty with the *York-Company* was before Sir *Robert's* Entrance. *Secondly*, That of six several Committees in which that Affair was transacted and carry'd on, I find Sir *Robert* present but at one, and that the last. And sure the Example
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and Precedent of five preceding Committees (setting aside the Confidence Sir *Robert* had been wrought up to, as to the Ability of the Managers) will be allow'd Excuse sufficient; especially, as some of his invidious Insinuations, (for I dare hardly allow 'em the Title of Evidences) had honour'd that and most of the other with their Company. Which is all I shall say at present on that Head, saving, that in that Committee where Sir *Robert* was present (as in all others) there was a qualifying Number of Committeemen and Assistants. Nor do the following Examinations upon this Affair in any Manner affect Sir *Robert*; and therefore I proceed to the next Enquiry, as to the Dividends.

And here again, of nine Committees for that Purpose, I find Sir *Robert* only at a single one, which was held on the 24th of *March* 1727. And I am very well inform'd, he had not attended *that* (tho' a qualify'd Committee) had it not been invincibly necessary to qualify himself to act (as Occasion might call) by taking the Oaths requir'd; Business, or Sickness, having oblig'd him to make Use of his Liberty first stipulated, for three Months before. Yet in those nine Committees, I find again some
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of his insidious Infinuators to have been present at either three, five, or more of those Committees. Perhaps they may urge in their own Favour, that they sat there only as Cyphers: Put their malicious Infinitions on the same Footing, and we are satisfy'd. However the Use I shall make of this recriminative Observation, will be more obvious and excusable, when I come to examine upon their particular Examinations. In the mean time I crave Leave to offer further before I quit this Head, That if the Assistants, who were all Members of the Committee of Accounts, (to whom therefore it was left to examine the Books, and make the *Report* on which the Dividend was to be founded,) *reported* wrong, and said more than they had ever done, I submit it to the Unprejudic'd, whether every Person, not present at the Committee of Accounts, ought not in Equity and good Conscience to be absolv'd of the iniquitous Consequences, unless a Privity could be prov'd upon 'em.

And now I come to the main Point, The Confessions of the several Persons examin'd before the Honourable Committee of the House of Commons; from which, if from any Thing, we may propose to find those Particulars, on which the Charge against

Sir

Sir *Robert Sutton* is to be founded and supported.

And, *First*, Mr. *John Venables* declares, That being told by Mr. *Wainright*, then Cashier for the Corporation, that it was his Duty (which Duty, I imagine, was grounded on some previous Order) to make out an Account half-yearly, in order to declare a Dividend; and the said *Wainright* giving him Instructions for that Purpose; he made a Calculation accordingly: And proceeds to shew the Methods of it. But the Result of all ending in Doubts within himself, as to the Justness of his Calculation, he went to offer the same to a Committee, *October*, 1731. But the Court and Committee being up, he met there Mr. *Molesworth* and Mr. *Beak*, to whom he communicated the Account, and his own Apprehensions. Let me here, by the way, have Leave to remark, that Sir *Robert* was not present at that Committee. The next Morning (as he goes on,) Mr. *Molesworth* and Sir *Robert Sutton* came before Ten, to the Office in the City; and Sir *Robert Sutton* went to *Thomson* to enquire into the Affair. After all which, he adds, That he believes Sir *Robert Sutton's* and Mr. *Molesworth's* Earnestness with *Thomson* to clear up this Matter, was the Occasion of his going
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away. But sure no Man in his Senses can offer, that the Consequences could make either of 'em criminal or Accomplices; since, if privy, even then, to *Thomson's* Intentions, or Circumstances, in my poor Opinion, they acted somewhat beneath the Characters of Mad-men.

The next comes Mr. *Jeremiah Wainright* : Who says, That he apprehends, the Corporation never divided more than the real Profits, supposing all the Pledges to be good: But the Committee have *sometimes* declar'd the Dividend before the Account has been made out. But he does not pretend to say, that that single Committee at which Sir *Robert* was present, was one of those *sometimes*. A little further he says, tho' I cannot see to what Purpose, that he has heard *Thomson* frequently declare, That when he came first into the Office, Sir *Robert Sutton* promis'd him that he should have a Salary of 400*l. per Ann.* That he, the Examinant, apprehended (*alias* surmis'd, for the Nature of the Thing will not allow it to amount to more) lest that Salary should seem too great; and that it might be made up to him some other Way, *they* suffer'd him to keep Part of the Money arising by Sales in his Hands. By which latter, *they*,
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the Examinant makes the Promise of *Sir Robert*, if there ever was such Promise, to be an Act of the whole Committee and Assistants too. But grant it to be a peculiar Promise of *Sir Robert's*; I cannot see how it can, by any unbiass'd Person, be constru'd to his Disadvantage. All it can prove, will amount to no more than that *Sir Robert* once had a better Opinion of *John Thomson*, than *John Thomson* deserv'd. And which of all, either Committee-men, Assistants, or Proprietors, dare say they had not? If Mistakes in our Opinions of Mankind were to be criminal, Jealousy, Scepticism, and Uncharitableness would become predominant Principles; and *Mahometanism*, on that Score, might claim the Preference of *Christianity*, which obliges its Followers to the most favourable Opinion in dubious Cases.

As to the two following Observations, I shall only desire my Peruser will give himself the Trouble of recollecting the Resolution of a *General Court*, in p. 29, which I heretofore referr'd him to: And as *Sir Robert's* Orders to *Mr. Lamb*, as they stand in the *Report* itself, p. 60, were deliver'd out in *April* 1728, long before the Date of the second License; and as *Sir Robert* himself was in Parts beyond Sea, whence he did

not return 'till *October* following, Nothing clandestin or sinister can be laid to his Charge so far. And if he after sold out any of his Shares towards paying in his Calls on the third License, it has been spoke to already, sufficiently, I imagine, to exclude him of either Avarice or sinister Ends.

Mr. *Higgs's* next Examination not mentioning Sir *Robert Sutton*, and chiefly relating to *Burroughs* and his great Friend Sir *Jobna Meers's* selling out a great Number of Shares, will not at all exact our Notice. And therefore I proceed to another Examination of Mr. *Wainright*, in which there is Nothing affects our present Cause, but that Sir *Robert Sutton* appointed Mr. *Lamb* his Trustee ; whose Examination I shall therefore next touch upon.

But Mr. *Lamb's* Examination having, in some Measure, been inevitably anticipated, I shall be the shorter upon it, and remark further, That he had his Orders from Sir *Robert Sutton*, for buying the Shares mention'd, about the 5th of *April* 1728, which was before the second License was petition'd for ; between which and the 17th of *June* following, he says, he had purchas'd 1,250 Shares, which were transferr'd to him in Trust for Sir *Robert*, who was at that Time out
of

of *England*. What Time *Thomson* purchas'd his order'd Shares, (*viz.* 2 or 300) appears not here. However as Sir *Robert's* Orders, by Mr. *Lamb* to *Thomson*, were given just before Sir *Robert's* leaving the Kingdom, and without any Limitation as to Price or Time, it will sufficiently obviate an invidious Insinuation in *Leaf's* next Examination, which (*Warren's*, that intervenes, not mentioning Sir *Robert's* Name) I now go upon.

Leaf says indeed, That in July 1728, N^o 4 and 5 bought considerable Quantities of Shares, and that Sir *Robert Sutton* had Part of 'em. As I said before, Sir *Robert* was at that Time out of the Kingdom: Nevertheless as he had given previous Orders by Mr. *Lamb* to *Thomson* to purchase Shares, some of those Shares purchas'd by N^o 4 and 5 might be in Pursuance of those Orders, and deliver'd accordingly. But all this, with Submission, is more than *Leaf* could depose: For he does not say, to warrant it, that *Thomson* told him as much; and I am sure it does not appear in *Thomson's* own List, nor in the corroborating Entry in N^o 11 of the Appendix, to which the Publick is referr'd by the Committee. But in a future Examination my Peruser may find the whole Riddle resolv'd; and that

that those Shares so positively hinted at by *Lease* as deliver'd to Sir *Robert*, were only Part of the Shares purchas'd by Sir *Ar. Grant*, for Sir *Thomas Robinson*, which Sir *Robert* as a Trustee paid for.

Thomson's Letters come next under Consideration. Previous to which however I must, with the utmost Deference, observe, That it is a Charge upon the Committee and Assistants of the Charitable Corporation, that they had Reasons to be apprehensive of the ill State of their Affairs, five Months before *Thomson* and *Robinson* withdrew: Which if Fact, in my humble Opinion, a Coroner's Jury ought to have been empannell'd upon 'em; who, upon Proof, would certainly have brought 'em all in *Felons de se* without benefit of Lunacy, and sav'd the Expence and Trouble of any other Prosecution. But, as Luck will have it, *Thomson's* first Letter to *Wainright*, printed at large in p. 62, of the *Report*, may happen to prove an Amulet. The Words most remarkable are, *first*, Those which speak of a *dreadful Secret*:-- Therefore, I presume, not known to many of the Committee or Assistants; otherwise, according to the known Maxim, it must cease to be a Secret: Or, *secondly*, those other, *It has kill'd one*
al-

already, and it will kill me too, tho' I was not the Instrument or Cause. -- When he comes to his proper Station at *Tyburn*, some Regard may be had to his Last dying Speech and Confession: But sure to make a vile Fellow's windy Assertions, Matter of Accusation against Men of Character, and some of 'em, it is to be hop'd, honest Men, would be a putting Evidence and Equity too upon the strongest, as well as strangest, Tenters. But as neither *that*, nor any other of his following Letters, take the least Notice of *Sir Robert* in particular, but seem, in the main, to be calculated for the carrying on a continu'd Scene of Villainy, I shall only take the Freedom to make this fair Deduction: That *Thomson* himself had no Opinion of his having any great Interest in *Sir Robert*, or to hope for any great Favours from him. And so indeed it will plainly appear in the Sequel, from *Sir Robert's* unparallel'd Zeal, and indefatigable Pains to detect and secure him, and his Accomplice *Robinson*.

As to what *Wainright*, *Leaf*, *Richardson*, and *Ray*, say in their several following Informations, Nothing relates to *Sir Robert Sutton*, and therefore I pass 'em over. Nor, in my humble Opinion, can that general Observation,

tion,

tion, " That the Persons entrusted with
 " the Management of the Affairs of the Cor-
 " poration, had Nothing in their View but
 " to enhance the Prices of their Shares,"
 affect Sir *Robert's* Character, 'till it be prov'd
 that he was one that did so by indirect
 Means; which, if I am not mistaken, will
 hardly be 'till *Latter-Lammas*.

Now let us hear what the worthy Secretary *Higgs* says, who was one of those that
 first drew the Gentleman into this unfor-
 tunate Affair. In the Years 1725 and 1726,
 says he, divers Courts of Committee were
 held, to consult the opening Houses to
 lend Money upon Pledges; that *he*, Sir
Robert Sutton at the first, Sir *John Meers*
 and Mr. *Gascoigne* all along, were for keep-
 ing to the Intent of their Charter in lend-
 ing Money in small Sums to the Poor. Sir
John Meers is doubtless much oblig'd to the
 Informant more Ways than one: But was
 it not Pity that the Committee, before whom
 he then was, never thought of asking him
 to explain himself as to that sly Insinuation
 upon Sir *Robert Sutton*? If I might have
 Leave to amend his Bill for him, it should
 run thus; That Sir *Robert Sutton* had a bet-
 ter Opinion of him at first, than he found
 he ought to have on better Acquaintance:

Or

Or thus, that Sir *Robert Sutton* was overpersuaded by the Knight of his Bosom, and some others of the Committee and Assistants, that he would find him a troublesome, whimsical Opiniasstre; and therefore thought it no Way proper, so readily to come into all his latter Measures as he had formerly done. For which very good Reason, when at the Beginning of the last Session of Parliament, or some little Time before, *Higgs* propos'd to Sir *Robert* the Advance of 5,000*l.* to stop all Clamours, he did not approve of the *Emplastrum*; but rather chose to stand and fall by his own Integrity, than to embarrass himself with the new *Chimæras* of one that he found had embroyl'd him so much before. Let him choose any, or all, of these (and all are true,) and, as I said at first, it can carry no other than the Face of a sly Insinuation: Too sly, and too malicious, to deserve the Regard of any Man of common Temper, or moderate Consideration.

It is true, Sir *Robert Sutton* is mention'd in the *first Paragraph* of Sir *John Meers's* next Examination, as being found at *Pontac's* with Sir *Archibald Grant*; but no Time in the Morning being mention'd, I hope, for Sir *Robert's* Health's sake, it was at none

of the Hours of a Club War, --- and but little of the Company. He there tells us, That Sir *Archibald Grant*, in Sir *Robert's* Company, dissuaded him from selling; and told him, Shares would rise. What then, I pray? Sure, the Gentleman Examinant would think it very hard to be made guilty on such Evidence. But, to shew his admirable Skill in Face-painting, he draws Sir *Robert* in an Attitude, so very inartificially, that one would almost be tempted to aver he sat to himself. In the *Paragraph* following, his Character is aim'd at; but without the least handsome Likeness, and with an *Emphasis* too, that appears a little distant from Probability, if not Reality.

“ Sometime after the Beginning of the last
 “ Session of Parliament, says the Exami-
 “ nant, discoursing with Sir *Robert Sutton*,
 “ at Sir *Robert Sutton's* House, about the
 “ large Sums, as he had been inform'd, were
 “ in *Robinson's* Hands, which he heard was
 “ between 40 and 50,000 *l.* Sir *Robert*
 “ made flight of it; and said, he believ'd
 “ it might be 10 or 12,000 *l.* for which
 “ *Robinson* had given good Security.” To
 all which I shall offer; that in the *first*
 Place, by some other Examinations, it ap-
 pears, that *Robinson* had not then given

Se-

Security for 12,000 l. Sir *Robert* made him give the Corporation that Security, but it was sometime after before they conceiv'd any Jealousy. And if Sir *John* will take upon him to disprove Sir *Robert's* Belief, Reason will lead us to the Side of the latter, because it was about that Sum the Estate made over did secure. And whoever will peruse what Sir *Robert Sutton's* Examination says on this Head, without the Trouble of Comparifon of Characters, will be able, without more ado, to lay the Saddle right; especially taking in what Sir *Robert*, with reason, says, That if Sir *John* had talk'd to him after that Rate, he must have been alarm'd, and Sir *John* must have been so likewise, they both being largely concern'd. But if we were to compare one Part of the Behaviour of each, it will evince the Probability of the Whole. One of 'em did resign back forfeited Shares without taking Advantages; the other never yet did:-- Which, I think, must carry a conclusive *Ergo* on the right Side. In short, the Evidence of this last Pair of Examinants seems to have been levell'd at Sir *Robert's* Humanity. It looks as if they had concerted to provoke him to abandon, with them, those *Christian* Qualities, of *speaking ill of no Man, and believing*

the best of all: But he has disappointed them. And yet, as much as they act in Concert here, if I am not woefully misinform'd, the *Court of Chancery* owns them, I mean the Pair of last mention'd Examinants, *Plaintiff* and *Defendant* in a *Cause* not very much to the Credit of either. But perhaps *Herod* and *Pontius Pilate* are become Friends.

David Avery's next Examination seems, in *Thomson's* Words, " only to lay out a Scheme " of what a Corporation settled by Parliament " may do." But being nothing to my Purpose, I leave that to the Consideration of others; and pass over that, together with Sir *John Meers's* next short Declaration, as little to our Purpose as that. After-Thoughts, even upon a Death-Bed, seldom afford any solid Consolation. And whoever will take upon him the Trouble of Enquiring, I will be bold to say, he will find Sir *Robert Sutton* less a Visitor of *Exchange-Alley* than any of the Committee or Assistants, or all his examinant Oppugners whatsoever.

And now, as *Bayes* in the Play says, the Plot begins to thicken; or rather, if we may quote a more material Authority, we begin to enter into full Business. For which Reason, I must beg my Peruser's Pardon, if my Particularity on some essential Points now
and

and then enlarge his Trouble. However, I promise him, I will use my best Endeavours, that he shall not sleep as he goes along with me.

The next Examinant, who takes upon him the Title of a considerable Proprietor, (I imagine, to give a greater Lustre to his Evidence) begins with an Assurance, " That he had the *September* before, about the Beginning of it, a Mistrust that the Corporation was not in a good Condition ;" all which, without any Impeachment upon his Fore-sight, may be granted him: Because I believe every Assistant, tho' not many of 'em had any Fear of *Thomson* or *Robinson's* running away, had, about that Time, somewhat of the like Apprehensions. But not to put the Cart afore the Horse, I must *postpone* his Conference with Mr. *Beak*, and consider what he says as to Sir *Robert Sutton*, which being *prior* in him, requires our previous Consideration. This may *in prima Facie* appear of little Moment; and yet, if laid open, may better manifest the Malice of the Design. Confusion of Dates must inevitably confound Facts and Circumstances: I hope therefore I shall have his Pardon, if I endeavour to put his Evidence into Method.

" About

“ About *May* then, says the Examinant,
 “ I apply’d to Sir *Archibald Grant* for an
 “ History of the Corporation.” I never
 heard of any such History; and therefore
 leaving his History, Sir *Archibald*, and him
 together, I proceed to that Part which re-
 lates to Sir *Robert Sutton*; where he explains,
 I suppose, his former Meaning. “ Upon his
 “ Dissatisfaction with Sir *Archibald* (the
 “ Examinant says) in the Beginning of *June*
 “ last, he apply’d to Sir *Robert Sutton*, and
 “ desir’d to know of him the State of the
 “ Corporation; and in case he could give
 “ Encouragement, he (the Examinant)
 “ would buy considerably.” If I mistake
 not, this *May* he speaks of was the *May*
 after the *first* Petition in Parliament against
 the Corporation. But the Examinant goes
 on, “ Who inform’d the Examinant he
 “ was very safe, and that their Capital was
 “ worth 5*l.* per Share, and 1,400*l.* Profits
 “ on their whole Capital. And Sir *Robert*
 “ asking the Examinant, what Price he
 “ could buy Shares at, the Examinant re-
 “ ply’d 5*l.* 15*s.* upon which (continues he)
 “ Sir *Robert* lift up his Hands, with great
 “ Admiration, and said they were prodigi-
 “ ous cheap.” Here is a Story well cook’d
 up; but we shall see, by and by, whether
 the

the Cook had lick'd his Fingers to taste his Sauce. And, in the first Place, to all this Particularity (for I need not fore-stall the Market, and call it Invention) What Pity was it, that his Examiners were not a little more particular, in asking him the Place of this Conversation between Sir *Robert* and him! However, upon Enquiry, his own Mouth has satisfy'd the World it was at Sir *Robert's* own House: Which gave me the Curiosity of a further Enquiry; the Result of which was, That he never but once saw Sir *Robert* at his own House; at which Time, Sir *Robert* being going out, he hardly stay'd long enough to ask half the Questions he mentions; and, which is worst of all, the Examinant being unfortunately very deafish, a Person who was by all the while, and consequently must have heard all Passages, is ready to attest the Fallacy of every Part of this barefac'd Assertion. And without putting the Veracity of the next *Paragraph* upon the Foot of this, I will mistrust my own Ears, that have heard Sir *Robert*, over and over, declare he had no Jealousy at all of *Thomson*, nor much of *Robinson* (after he had procur'd that Security for the Corporation) to the Day of their running away; and appeal to all Men of

com-

common Sense, whether a Person of common Understanding, that had any Regard to his own Interest (tho' not so great a Regard as the Examinant) could have acted so indolently, from *June*, if he had any such Apprehension as he makes him confess, in *October*. Sir Robert is ready enough, now, to acknowledge his Weakness in trusting to others: But such a Confession as this must add Lunacy to Weakness. But the best on't is, the Examinant will not say where this last Conference happen'd; and upon all the Enquiry I can make, I find every Body as ignorant of it as himself.

But having done with the Back-front of the Evidence, we must next examine if the Fore-front will answer any better. Not that Sir Robert Sutton is any way concern'd in his Confabulations and Transactions with *Beak*, or *Burroughs*, &c. or whether, or how far it be true. Only I shall desire this may be noted, by the Way, That when the Affair was before the House of Lords, a Right Honourable Person has assur'd me, that upon the same Examinant's affirming, that he never could obtain Leave to peruse the Accounts and Books of the Corporation, three or more of the Clerks, then examin'd before that Honourable House,

House, depos'd, That they had severally offer'd, over and over, to attend him for that Purpose, as often, and as long as he pleas'd. Well might it induce some of that August Assembly to shake their Heads; and yet without calling in question any Hereditary Right.

The following Letters between Father and Son, will have their Weight in Consideration, when I come to their several Examinations. But I will venture to say this, before I enter upon any other Examination, or quit that of *Sir Robert*, which immediately succeeds, That if Candour, Humanity, or Sincerity, can engage, recommend, or distinguish; my Peruser, whoever he be, will easily acquit *Sir Robert* of being included in the Number of those, who are said to accuse others to excuse themselves. His Answers are all through compos'd of Sincerity, without Artifice; as the Answers of most others are all Artifice, without a Grain of Sincerity; Malice, or Timidity, making up the whole Composition. But his Integrity wanted no such Foil; and therefore when he mentions another Knight, who was in the Management long before he enter'd (and perhaps on Enquiry it will be found made another Use of it than *Sir Robert* did, or

ever had it in his Thought to do) he is far from Recriminating, as the Occasion might have permitted, and obviates his Insinuations with Probabilities that will, with every considering Person, amount to Demonstrations; and yet all he says is, that he must have been alarm'd as well as his Accuser, his Concern being equal with his. His little Attendance, in which he was sanction'd by his original Stipulation, gave him no room to call any Man's Reputation in Question without an overt Act: And believing all, both Committee and Assistants, in their Intention honest like himself, all his Answers are rationally to be accounted for, and commended. But by his little Attendance, let me be rightly understood to mean before the Elopement of *Thomson* and *Robinson*: For, after that, when he saw his own Mistake, and the Danger to the Society, not any of the Committee or Assistants were so diligent as he to secure the Criminals, detect their Villainies, and, so far as lay in his Power, remedy the evil Consequences to the Corporation. His Health gave place to that Zeal of his: And I have heard him over and over say, that his own Loss, tho' very great, was what gave him the least Uneasiness. I have not Leave to do it; for he

he knows nothing of all this present Writing, for which Reason the doing of it may undergo the Censure of betraying Conversation; otherwise it is in my Power to relate many Particulars to this Purpose (that now occur to me) as often as I waited on him to console with him on that unfortunate Occasion. Yet thus much I will venture to say, that his Reputation, never till now call'd in Question, was what most sensibly affected him, and therefore always was the first and last Topick of our Conversation. Leaving therefore his candid Declaration in his Examination to the Canvassing of the most Invidious, I proceed to the Honourable Examinant following.

And he fairly confesses, “ That when he
 “ went and acquainted Sir *Robert Sutton*,
 “ that *Thomson* was a considerable Debtor
 “ to the Corporation, Sir *Robert* would scarce
 “ believe it. That afterward he went again
 “ into the City to *Thomson*, and Sir *Robert*
 “ *Sutton* with him, into *Thomson's* Room,
 “ who having a Person with him, though
 “ they stay'd two Hours, nothing was men-
 “ tion'd.” A little further, towards the
 Middle of the next Page, he again mentions Sir *Robert Sutton*, “ As being present,
 “ with others there specify'd, at a Com-
 F 2 “ mittee,

" mittee, where he complain'd of the large
 " Sums of Money in *Robinson's* Hands. " I am sorry he does not make any mention
 of the Time, when that Committee sat for
 Reasons very obvious. Passion is very apt to
 overshoot Reason; and that it might do so
 here, may be presum'd, because this, and
 his Declaration a little after, seem incon-
 sistent with some Things he said before, and
 others that will appear he said after, of the
 same Gentleman. However, let us go on;
 and we will grant what he asserts, " That
 " he has often persuaded Sir *Robert Sutton*
 " to exert himself, and not be govern'd by
 " *Burroughs* and *Squire*. " And the rather
 because it will neither prove that Sir *Ro-*
bert was govern'd by the Persons he speaks
 of, or that he had any Occasion therefore
 to exert himself. Unwilling to be credulous-
 ly ill-natur'd, Sir *Robert* might perhaps impute
 his Zeal to some Overflowings of the Bile,
 and therefore might take the less Notice of
 it; and that Opinion, perhaps, might in-
 duce Sir *Robert* sometimes to prefer a News-
 Paper before Railing: But all this, if more
 than Conjecture, though it may serve to
 prove the Excellency of Sir *Robert's* good
 Temper, will never prove, what the Gen-
 tleman brings it to prove, That Sir *Robert*
 ever

ever sided with any Man against what he believ'd to be the true Interest of the Corporation. And the Gentleman's Confession, that he often went beyond the Rules of Decency with Sir *Robert*, confirms me in this Conjecture; especially, as this honourable Examinant soon after fairly confesses, " That " he was sometimes supported by Sir *Robert Sutton*, who has said, why is not that " comply'd with? for it is right it should be " so. " As to his Hearsay, let us, contrary to common Usage, allow it to be Evidence. We will grant, that Sir *Robert Sutton* might meet *Robinson* at the Tavern, and might jointly with the rest give his Word of Honour, that *Robinson* should have 4000 *l.* Bonds to exchange for Notes; and among other good Reasons, which he there gives, because *Robinson* had made it a Condition of his complying with the Mortgage on his Estate to Sir *Robert* in Trust for the Corporation.

But as this Mortgage was an Act wholly of Sir *Robert's* obtaining, without making a Merit of it, I hope I may have leave to appeal to the worst of his Enemies, whether it can be forc'd to imply an Unconcern in Sir *Robert* for any Thing, in his Power to accomplish, for the Security and Weal of the Corporation. The

The next Examination, however long, affords very little material to the Matter in Hand. The Examinant mentions *Sir Robert* once, as accompanying *Mr. Bond* to the Attorney General, about one of the Licenses, and the Answer return'd *Mr. Hughs*. He likewise particularizes the Persons, and their Names, who were look'd upon to have the chief Management of their Affairs: But as *Sir Robert* was not of that Number, and by him no otherways taken notice of, I pass on to the Examination of

Denis Bond, Esq; one other of the Committee: But he not mentioning *Sir Robert Sutton's* Name, excepting what the last Examinant mention'd, viz. his going with him to the Attorney General; I shall leave him (and *William Aislaby* on the same Account) and proceed to the Examination of

Robert Man, Esq; one other of the Committee: But neither does this Examinant afford us much relating to our present Subject. Towards the latter End, indeed, he says, " That about five or six Weeks afore
 " *Thomson* went away, he went to the House
 " on *Laurence Poultney-Hill*, where he found
 " *Sir Robert Sutton*, *Sir Archibald Grant*,
 " and others; and asking, what they were
 " doing? one of the Gentlemen shew'd him
 " a Paper

" a Paper of Accounts, in which was the
 " Balance of Cash then in *Robinson's* Hands;
 " and the Examinant said he was very for-
 " ry to see it. Then *Sir Robert Sutton* ask'd
 " the Examinant, what he thought of *Ro-*
 " *binson's* Circumstances? he said, he hop'd
 " they were good." On which I desire to
 observe, that *Sir Robert* ask'd a Question,
 which he could not resolve himself, and
 therefore wanted to be resolv'd in, and of
 a Person that he thought was best able to
 resolve him; and indeed the Examinant's
 Answer implies as much; and a very good
 Reason follows--- " Or otherwise he would
 " not have trusted him as he had done." To
 which *Sir Robert Sutton* reply'd, " You ought
 " to know 'em as well or better than any
 " Man. And the Examinant asking him
 the Reason why; *Sir Robert* answer'd, " Be-
 " cause you are one of the Securities here;
 the Examinant said, " If he was, he did not
 " know it." The Examinant tells us, he
 went afterward to *Robinson*, to know if he
 was, or was not: But I think he has left the
 Committee in the Dark, or, as the Jockeys
 say, given 'em the Bridle to hold: For tho'
 he owns that he was Security for *Ogker's*
 Children, it does not follow that he might
 not be for both. Neither can I imagine what
 that

that great Question should be, that he would give his Son *Torriano* the Glory of. It could not be that to *Robinson*; since Sir *Robert* put that into his Head. And I perceive no other: However, it is pity to rob him of his Complaisance.

We now come to the Examination of *William Burroughs*, Esq; one of the Committee. In whose first Examination, tho' there appears more of the Root of Iniquity than in any other Examination, there is less found to be depended upon, that can affect Sir *Robert*, than any where. However, he positively, in this Place, excludes Sir *Robert Sutton* from having any Share in the Shares bought by N^o 4 and 5, by naming the Principals, though he would afterward seem to insinuate the contrary. And as to Sir *Robert Sutton's* attending the Solicitation of the Second License, Sir *Robert Sutton*, as far as Truth requires, confesses the Fact, viz. " That he did attend Lord
 " *Townsend* first, and the Attorney General
 " after: But that after Lord *Townsend's* Re-
 " move, he never attended Lord *Harring-*
 " *ton*, nor knows who sign'd the Petition to
 " his Majesty; but believes *Burroughs* and
 " *Squire* solicited the same through all the
 " Offices. However, when it had lain a
 " long

“ long while before it was taken out, *Thom-*
 “ *son* saying he was order’d to take it out,
 “ and pleading that he was a Stranger at
 “ the Secretary’s Office, obtain’d his Letter
 “ to Mr. *Tilson*, to deliver the same to
 “ *Thomson*, who would pay the Fees. But
 “ denies all Knowledge of any Conceal-
 “ ment thereof.” So much for the first
 Part of the Examination, and the second
 is not much better, because to the same
 Tune. I shall wave his impeaching Mr.
Higgs, and the Secretary of Embezzlements:
 It is nothing to our Purpose, and perhaps
 mayn’t be true; at least every good Christi-
 an ought to hope as much, ’till prov’d in a
 legal Manner. Nor was it ever deny’d, but
 confess’d by Sir *Robert*, or his Agent Mr.
Lamb, or both, that *Thomson* had Orders to
 buy Shares for Sir *Robert* then going A-
 broad; nay, and which is more, with a
 View of their rising in Price; and, I wonder,
 where is that self-denying Gentleman of any
 Committee in the World to be found, that
 would not have committed that very iden-
 tical vile Action, under the same prodigious
 vile View? Yet in all this, Sir *Robert* very
 happily stands excluded the trading Com-
 pany of N^o 4 and 5, by the Benefit of his
 previous Declaration, which being unpre-
 G meditated

meditated must be the honestest. As to the Doubts, he speaks of, concerning what Books were intended by the Order of the House of Commons to be laid before them, he in one Part contradicts what he has said in another. However, as *Sir Robert* is mentioned in the most favourable Part of the Debate, and not in the other, which he would have been sure to have done, had he had any Grounds for it, I must suppose *Sir Robert* absent at the Meeting in *Spring-Garden*. Tho' had he been even there, I can't see how a Debate about the Reasonableness of a dubious Action, can, with any Appearance of Justice, be interpreted as criminal. And as little of a Crime could it be for *Sir Robert Sutton* to act upon a Trust, Good Manners compel'd him to accept from the Importunities of *Sir Thomas Robinson*, who had indeed, as this Examinant says, Part of the Shares purchas'd by N^o 5, and for which *Sir Robert Sutton* paid the Consideration Money deposited in his Hands by *Sir Thomas Robinson* for that Purpose. And will all this in a Bundle make *Sir Robert* guilty of Bribery, Corruption, or any thing like Guilt, under any Denomination? As little can it affect *Sir Robert*, where he says, "That he advis'd Mr. *Tilson* to become a Pro-
"priator,"

“prietor,” were it true. It rather evinc’d his Sincerity, and that he believ’d, as all Mankind that are unprejudic’d must believe he did, that it was a good Thing; otherwise he must have been very prodigal of his own Money, and Good Sense too, to be so deeply concern’d as he was. But in reality the Fact is just the Reverse: For I am very well assur’d, Mr. *Tilson* exclaims against the Examinant himself, and no other, on that very Account. But if Sir *Robert Sutton*, so soon as he found he had some solid Reasons of Jealousy or Doubt, prevail’d upon *Robinson* to make over his Shares and Estate (as this Examinant owns) for the Security of the Corporation; I think it plainly demonstrates, that as Sir *Robert* could distinguish between Realities and Appearances, so he was zealous and ready as any Man, on all Occasions, to see that the Corporation might have Justice done them to the utmost of his Capacity: And it will presently be made evident, that he exerted all his Faculties to that Purpose, more than any or all together, when first the unhappy Occasion presented itself. The Examinant proceeds to say, “That in *May* last it was “agreed on at a Committee, that new Notes, “to the amount of 60000 *l.* should be made out.”

“ out. ” And a little after (for what he says in the Paragraph intervening, in relation to *Jenes*, nothing affects our Subject) “ That when the before-mention’d Notes “ were order’d to be made out, Sir *Robert Sutton*, Mr. *Bond*, Mr. *Molesworth*, Sir “ *Archibald Grant*, Mr. *Man*, Mr. *Jackson*, “ and Mr. *Squire*, were present together “ with the Examinant. ” But as the Committees set down in the Report make mention of those aforesaid Gentlemen all to be present, only at that Court of Committee of the sixth of *July*, when Sir *Robert Sutton* was not present, I suppose that may be plac’d among some other of his Mistakes and Inconsistencies. But it is little material, true or false: For as Sir *Robert* never acted under any unqualify’d Committee, as the Examinant frequently did, and being but single, so a Majority, in consequence, must have determin’d, if he had been a Dissident. But as he at the same Time confesses, the Minute for the making out the Notes was lock’d up in an Iron Chest, together with the Notes made out; and as they were not sign’d, which render’d them useless and of no Signification; and as he, and others, say they were all burnt, and Sir *Robert* at the Burning, I cannot see any
Advanc-

Advantage the most exquisite Malice can squeeze out of the whole to the Detriment of Sir Robert's Integrity. Neither can that be of any Weight, if true, " That he believes Sir Robert Sutton was present at a Committee, " when it was mention'd, that it would be of " Service to the Corporation, if Gentlemen of " both Houses, and Men of Substance, had " Stock." The Thing in itself is of no Moment, being no more than the Exigence might well excuse. In a sinking Bottom, or even the springing of a Leak, all Hands go to the Pump a course. But he says, he only *believes* Sir Robert was present when it was mention'd. Does he intend it as an accusatory Information, which he must mean if he means any Thing, Who would ever keep such Company as makes the Use of our Senses dangerous? He himself might be the Proposer, and with a vicious View: But, surely, all that heard it must not be involv'd in the Iniquity. At that rate, Men's Ears and Eyes would prove Curses instead of Blessings, since Reason itself would not be able to protect our Innocence. I have been the larger upon this Examination, because the Examinant was the most active, as well as the most daring in his Actions. He always was one at the unqualify'd Committees, excepting one very
single

single one; and by the Authority of the *Report* itself, appears to have had the greatest Confidence repos'd in him of any, either Committee-man or Assistant. He was the Person to whom, in the main, it seems to have been left to settle the Accounts, and scrutinize into the Warehouses; and the almost only Person who settled and made the Reports on which the Dividends were founded, eight of nine of which he is said to have settled, and cast up the Books for that Purpose. And of all of which nine Committees, Sir *Robert Sutton* (as was said before, but is inevitably repeated on this Occasion) was present at one only, and that upon account of his taking the qualifying Oath; Sicknes having render'd him unable to attend three Months or more preceding.

The next Examination is that of *Thomas Beak*, Esq; one of the Assistants; which, though it be concise and short, goes off with a smarter Farewell upon Sir *Robert Sutton* than any other. But *Aurum fulminans*, we know, is never dangerous. Perhaps their then Secretary could affix a very good Reason for it, which I care not to repeat, as it has been before hinted at in *Higgs's* Examination. But I will take the Sarcasm as the *Report* itself hands it to us. "That when he
" was

" was appointed an Assistant, he apprehended
 " the same was only Nominal." --- Sure the
 Nominal Gentleman was vastly diligent, and
 superabundantly officious, since he attended
 thrice for Sir *Robert*'s once; for which per-
 haps he may think fit to plead in Excuse,
 that he had not stipulated for Absence, as
 Sir *Robert Sutton* had done. But he goes
 on; " When he has been at the Committee, he
 " observed the Business of the Corporation was
 " chiefly manag'd by Mr. *Burroughs*, Squire,
 " and Sir *Archibald Grant*, who were the
 " leading Men, and Sir *Robert Sutton*, and Mr.
 " *Bond*, who were frequently there, and came
 " into their Measures." The Examinant must
 pardon me if I ask him, what Measures he
 here means? Or what he means by Sir *Ro-*
bert's coming into their Measures? Was not
 he himself present at more of the Meetings
 than Sir *Robert*? Did he ever give a Nega-
 tive at any one of them? These Questions
 will appear neither malicious nor officious,
 if we give ourselves the Trouble of com-
 paring Matters. For then we shall find, that
 in all those Transactions, which the Report
 seems to render most obnoxious, this Gen-
 tleman was as frequent as any, much more
 frequent than Sir *Robert*, and never, as ap-
 pears, (and perhaps he might be defy'd to
 make

make it appear that he was) a Dissident. Is not this a sort of Coming into all their Measures, more than Sir Robert? For his Edification, and our Conviction, let us trace the Matter a little further. In the two grand Articles, which the *Report* speaks of with the most glaring Emphasis, viz. that of making out of the Notes, and that of ordering the Dividends, it appears by the Report; That, of the *first*, which were six Committees, this Gentleman was present at four, two of which were unqualify'd Committees, and Sir Robert was only present at the last of them, which was a qualify'd Committee, and (as any Man of unprejudic'd Reason would imagine) somewhat authenticated in the Example of the five preceding Committees; and of the *second*, which were nine Committees, Sir Robert Sutton was present but at one, and that necessitatively, and the Examinant at five, one of which was an unqualify'd Committee. Might not our Nominal Assistants, from the Premises, by all unbiass'd People, without straining either Reason or Equity, be allow'd to have come into their Measures more than Sir Robert? Burroughs, Squire, and Sir Archibald Grant, were almost as constant as himself; and, as he himself confesses them to be the chief in

Manage-

Management, without doing Injury to his Diligence, we cannot deny him the Honour of a Share, though a nominal one, in their Ministry. But if ever the Honourable Committee should happen to review this Examination, and their *Report*, will they not be apt to peculiarize this as the first of those Examinations, that by excusing the Examinant seems intended to fix an Accusation upon others?

As to the next Examination, I must beg Pardon if I say, I can account of it as no other than a Fardle or Heap of Hearsays and Supposals; such as no wise Man can lay any Stress or Dependence upon. And therefore I take Leave, in my turn, to suppose this the next of those Examinations hinted at in the *Report* p. 74. consisting of Excuses for himself, in order to lay Accusations upon others; which this Examinant does very plentifully, in a Stile as stately as 'tis peevish. Sir *Robert Sutton's* Name is frequently thrown in among the rest; and yet now and then, as if it were upon a sort of Compunction, he speaks of Sir *Robert* favourably, which he hardly ever does of any body else. I could have wish'd, however, for his own Sake, that the *Report* had omitted that Original Letter of his to his Father;

ther: His Petulance would have carry'd a better Countenance, and his Self-sufficiency might have pass'd off the better without the Charge of so many intervening Inconsistencies. But to begin: He, first of all, tells us, " That he was drawn in to buy Shares at " a high Price, *viz.* 15 *l.*" But even here I am afraid will prove a Smatch of Disingenuity; which is a most ominous setting out. For, if I am rightly inform'd, he does not rightly recite Fact. He should have told us, that those Shares he so bought, were Shares that had before paid in ten Pounds *per* Share; which had reduc'd the high Price he complains of to a low one. Then as to the Tempter that drew him in, though he is so kind to himself to conceal him, if my Peruser will give himself the Trouble to run over that Original Letter of his, dated 12 September 1728, and inserted p. 73. of the Report, I doubt not, but he may there, without Spectacles, discover the Tempter who drew him in, and find him spaciouly characteriz'd. But the Examinant goes on; " When any Thing appear'd irregular, or " not agreeable to the Charter, the Examinant, says he, voted against it." What a blessed Thing it is for a Man to have a Trumpet of his own! But as such are not always

ways wholly to be depended on, I would crave the Favour of asking a Question or two without Blame. Whether of nine Committees for the Dividends (which is deem'd in the *Report*, more than once, one of the most notorious Infractions upon the Charter) he was not present at six? And, in the next Place, Whether three of those Committees, which he was present at, were not unqualify'd Committees? And, lastly, Whether he thinks these were not Irregularities, or agreeable to the Charter? But should we allow, in his own dictatorial Stile, "That he did insist upon his Orders being put in Use, and complain of their being neglected, &c." What Use can be made of any Part of it against Sir *Robert*, whom he allows (as indeed was Fact) to be only present sometimes? What was the Reason his Brother Assistants did not chime in with him? Could not one of them see as far through a Millstone as he? Or did they agree, *Nemine contradicente*, that his Directions, or Commands rather, were not to be comply'd with? Some of them carry the Characters of very honest Men, and Men of Sense: Strange, he could not make the Face of a Party till *Thomson* and *Robinson* ran away; and then, just like my Lord *Thumond's* Cocks, they were all of a

Side! The whole p. 92. is taken up with Automatical Flourishes; which I shall not enter into: Though we shall, by and by, find Mr. *Robinson*, the Assistant not the Treasurer, confronting the most material of 'em. And though I don't know the Gentleman, I must do him the Justice to say, that he seems in the *Report* (which is my great Authority) to have behav'd with more Candour than many of the rest. In p. 93, Sir *Robert Sutton* is mention'd over and over, and with different Airs, just as I suppose (if I may be allow'd to suppose as well as he) Spleen or Truth got the Better: But as no Dates or Places guide us to Particulars, it will be difficult to distinguish one from the other. *First*, he says, "Sir *Robert Sutton* was among those who, upon
 " the Enlargement of 200,000 *l.* said, it was
 " granted for the Enlargement of Trade, and
 " for lending large Sums of Money upon
 " Merchandize and Manufactures, agreeable
 " to the Prayer of the Petition presented
 " to the King for the same." And if the Prayer of the Petition was such; where, I wonder, was the Harm? Had he, in his great Sagacity, taken care that it had been put to that right Use, no body would have fished for a Complaint. But he says, "Sir *Archibald, Burroughs*, and *Squire* (whom he
 " before

before had vouch'd to be main Managers, and here again says were always there) "only laugh'd at him." I rejoice Sir *Robert* was not one of those merry Gentlemen, since Mirth is so offensive; tho' I can hardly deny, with any grave Face, that many Parts of his Confession would put Gravity itself out of Countenance. E. G. "Sir *Robert Sutton*, says he, was always a Favourer "of *Thomson*; and that he had never known "him come over from the Opinion of *Burroughs*, *Squire*, or Sir *Archibald Grant*." A confident Assertion I may safely assert it! since an Honourable Examinant has before assur'd us to the contrary; nay, has given Instances of it in the *Report* printed with that his bold Assertion. And as for Sir *Robert's* being a Favourer of *Thomson*, if he cannot prove Sir *Robert* ever gave him Countenance in an ill or unwarrantable Action, I am sure it is an unwarrantable and vile Insinuation. It must be granted, Sir *Robert* for a long while had a good Opinion of *Thomson*: But was he singular in that? Or was not the Examinant singular, if he had not? Should he answer in the Negative, he must plead little less than guilty. For why did he not push on his Jealousies to Proof? If I guess right, had his Jealousies been well grounded,

grounded, the Fear of being laught at, would never have been powerful enough to have stifled the Cries of his Conscience in his Interest. Whereas a Want of that Spirit that he would here appear to act with, might move *Sir Robert*, as well as other honest Gentlemen, to impute that to Cavil and Pertulance rather than a right Zeal: And *Sir Robert's* seldom Appearing among 'em might excuse him from any Way of thinking that one, however significant in himself, was more than seven. Besides, he himself confesses a little lower in the same Page, " That " when he desir'd to see the Ware-Houses, " he had no Jealousy that there were none ; " which I think is Ground for a pretty tolerable Presumption, that his Curiosity, in that, did not proceed from any jealous Thoughts he had then entertain'd of *Thomson* ; and, consequently, we may charitably conclude that he had none 'till the 400,000 *l.* appear'd to be lent, which was just before *Thomson* ran away ; and then I am apt to think, *Sir Robert Sutton*, as well as he, began to find himself woefully mistaken. He acknowledges a little before, " That *Sir Robert Sutton* " came into the Resolution, of their Servants " giving Bonds not to buy at Sales." And as to *Sir Robert's* being always consulted upon

upon the Dividends, it is more than he or any Man can prove: Sometimes of that *always* Sir Robert being not to be consulted with, and present but at one of the nine Committees for that Purpose, and that a legal one; whereas he obliges me again to put him in Mind, that it appears by the *Report* that he himself was present at six of the nine, half of which were illegal by the Fundamentals of their Charter. As to the long Passage with the *Bank*, tho' deviating much from Veracity in most of its Circumstances, it can only serve to prove, so far as it is true, even under his own Recital, that Sir Robert's Honour was of great Weight; or that he was at all Times diligent enough to do the Corporation Service upon any Exigence: For Sir Robert was as little apprehensive of Danger to himself, from any Action of his own inconsistent with Integrity, as this Examinant could or can be; and on the nicest Scrutiny I will presume to say, more, much more, undeserving of Blame. This, however, I believe, I may agree with him in, " That the Name
 " of Sir Robert Sutton has been too often
 " made Use of (and perhaps not always to the best Purposes,) without any Leave,
 " Authority, or Privity of its proper
 " Owner."

“ Owner.” Thus, after a tedious Detail of his own Merits, he concludes, p. 95. with a Declaration, “ That *Burroughs*, “ *Squire*, and Sir *Archibald Grant*, had been “ concern’d in the Frauds;” and so far, I believe, all the World will agree with him. His Discoveries in p. 96, if to be depended upon, are some of ’em somewhat material against others as well as himself, but not at all respecting the Person now in Question. Nevertheless, what he says of Sir *Robert Sutton*’s leaving the Charge of the License to *Burroughs* upon his going Abroad, as it contradicts all the other Examinations, must properly, in my Opinion, be plac’d among his other numerous Hearsays and Supposals. For he would in that insinuate, that Sir *Robert*, like himself, assum’d a despotick Air; which all that know Sir *Robert* are so far from being of his Opinion, that an Honourable Person of the Committee has told us, that he blam’d him for not exerting himself. A little after, he confesses himself “ A large Trafficker in Shares, “ which in Prudence he should have avoid- “ ed;” because, as it has been endeavour’d at to make it an imaginary Crime in Sir *Robert*, it will prove, if it should prove a Crime, a real one in himself, and that upon his
his

his own Confession. Nor will his Salvo of Selling to no Body but Directors, or *Robinson*, save him; for Buying and Selling, whether to *Turk*, *Jew*, or *Christian*, can neither alter the Merit, or the Denomination. The rest of that whole Page is little else but Tautology and old Wives Talk: For if Sir *Robert* had a great many Shares, as he, for what Purpose I know not, urges, I dare answer for Sir *Robert*, he is heartily sorry for it; and that he would not have envy'd the Examinant, if his vast Ambition and Avarice had been answer'd (as in his Letter) so as to have far exceeded Sir *Robert*'s great Number. And thus, I thank my Stars, I have got thro' the longest and most tedious Examination in the whole Bundle: And thro' an Ocean of Repetition and Tautology, am safely landed to take Breath, 'till a new Occasion shall present itself.

George Jackson, Esq; another of the Assistants, next presents. And as his Examination appears to carry in it as much Sincerity, as some others have done Subtilty, I shall beg Pardon if I take the Liberty, now and then, to digress a little in making transient Observations, where he does not directly touch upon Sir *Robert*'s Name. I profess, I have not the Honour of any Knowledge

of the Gentleman: But there seems to flow such a Current of Plainness, Honesty, and Candour through the whole Confession, that I cannot but please myself with the Imagination of finding somewhat to depend upon, for the Rectifying of many of the Mistakes of others, and towards the Detecting the Frauds, or at least towards Disappointing the Malice, of Malignants. Under these Hopes and flattering Expectations, my Peruser will excuse me, if I do not methodically follow the Examinant, Line by Line: For as long as I take in the Substance, and omit nothing material, I shall propose to arrive at some little Justice in Favour of the Gentleman whose Cause I have espous'd, without Wrong to any honest Man; which ever will be my utter Aversion. I begin then in p. 99. where this Examinant says, " That after he came in to be a Proprietor, " (which, by the way, was soon after Sir " *Robert Sutton*) a select Committee was appointed for the Examining the Books of " Accounts: But that in a short Time afterwards, an Order of Committee was " made, that all that come to the Committee should have Voices." This is explain'd by the Order itself in p. 31. thus, *That all the Committee and Assistants be of the*
Com-

Committee of Accounts, and that three of the said Committee of Accounts may do Business.

And doubtless, however it answer'd consequentially, the Design and Intention was just and good, in that the Gentlemen of the Committee might thereby have an Opportunity of scrutinizing into their Proceedings, and by their Voices regulating their Orders, where they should appear to be wrong. But he goes on, " That the Accountant, before the last Dividend was declar'd, was order'd to make out an Account from the Pledge Books, in order to declare the same." And, I think, the Declarations of *Venables* and *Wainright* make out this to have been a standing Rule and Order. From all which, if I may have Leave to add, what I have more than once already refer'd to in p. 29 ; That a *General Court* (as the *Report* itself, which is my standing Authority, reports it) had devolv'd upon their Committee all the Powers their *Charter* gave 'em; which Devolution no *General Court*, that I can find, ever repeal'd; I may, sure, without Blame from any Man of Reason, draw this obvious Deduction ; That Sir *Robert Sutton* having, out of a perfect Knowledge of the Situation of his own Affairs, at first stipulated for his Absence,

might, under this Chain of Orders, without any Blemish to his Integrity, safely resign his Interest to the Management of those he believ'd honest, and had, as yet, no just Reason to believe not equal to the Task they had undertaken. This, sure, he might do without Impeachment; and if it prov'd to his own great Loss, that Loss, in Equity sure, should not be loaded with the Loss of others; to which I defy Malice itself to prove he had any Ways wittingly contributed. Tempted by Avarice, Envy, or Ill-Nature, or to put a better Gloss upon their worse Miscarriages, we see some have endeavour'd to make him a Sharer in their own Iniquity: But as the Main of those iniquitous Evidences have, by their voluntary Presence, countenanc'd apparently the Frauds of others, and many of 'em as Copartners, I believe all unbiass'd Men will see the Bent of their Design; which must consequently enervate all that their Malice can dictate on this Subject. But let us proceed in the Examination of this fair Examinant; who declares at the Beginning, " He neither knew or suspected "*Thomson* to be guilty; he always believ'd " him to be an honest Man; and therefore " was surpriz'd when he heard he was " gone away." Nay he goes further yet, and
says,

says, " That he thought the Corporation
 " very happy in having such a careful Man,
 " as he was generally reputed to be." And
 yet this Gentleman, if I mistake not, was
 a Citizen, a Merchant, and bred to Ac-
 counts (a quite different Way of Education
 to any Sir *Robert Sutton* could pretend to;)
 who yet are like to be joint Sufferers, for
 having pursu'd the *Gospel* Rule, and enter-
 tain'd too favourable an Opinion of one that
 was their fellow Creature, tho' he prov'd
 not to be their fellow *Christian*. This Con-
 fidence in *Thomson*, doubtless, as this Exa-
 minant says, was a Calamity upon all such
 as were not in the Secret with him as Ac-
 complices. He had more Artifices than his
 Bundle of Keys, which the Examinant
 makes mention of, to delude the Undesign-
 ing; and those who were in with him, were
 always as ready as he, to make plausible
 Excuses, and frame Evasions, to avoid and
 put off every propos'd Scrutiny. And Mr.
Wainright, particularly, delivers it as his
 Opinion, " That nothing but the Dread of
 " such approaching Enquiries broke the
 " Band of their Iniquity, and properated
 " their Elopement." This he likewise
 owns was the Effect of Sir *Robert Sutton's*,
 and Mr. *Moleſworth's* Earnestness with him.
 And

And I dare aver, that having no sinister Ends in their View, they now very heartily unite in their Wishes, that their Earnestness had been more early. As to what the Examinant says about the Coining of Notes, there is nothing that he, more than any other, appropriates to Sir *Robert*, excepting that he join'd with Mr. *Molesworth*, Mr. *Bond*, and Mr. *Aislaby*, for Reducing the Balance; by which, I imagine, he means the Balance in *Robinson's* Hands. And certainly the best Way safely to reduce it (to themselves I mean) was what Sir *Robert* pitch'd upon, viz. By assisting him with 4,000*l.* in Corporation Bonds, in order to support his Credit, on which the Credit of the Corporation at that critical Juncture must have no little Dependence. Nevertheless, I must here again observe, however observ'd before, That Sir *Robert* made an advantageous Use of that Concession, not to himself but the Corporation, in obliging *Robinson* to give a Mortgage upon his Estate, and Shares towards their Security; advising thereupon the taking the rest of the Balance due from *Robinson*, gradually, as he could pay the same. But this fair Examinant gives another Reason for the Creating so large a Debt from *Robinson* and *Thomson*; which,

which, as it wears a very probable Countenance, and has not been taken Notice of by any preceding Examinant, that I remember, cannot be *mal a propos* a little to touch upon. Accordingly he says, “ That he
 “ apprehends, that when the Corporation
 “ was under the Consideration of Parliament,
 “ the Session before, large Sums of Money,
 “ which were paid into *Tenche's* Hands,
 “ were by him, for some valuable Consideration or other, paid into the Hands of
 “ *Robinson*, without being observ'd by the
 “ Committee, who were at that Time
 “ wholly taken up with the Affair in Parliament ; which, so soon after as it became known to the Gentlemen, created
 “ a great Uneasiness in all, except *Burroughs*,
 “ *Squire*, and *Grant* ; who could not entertain equal Uneasiness with the rest, because as Things have since happen'd, he
 “ had Reason to believe they were concerned with him.” This seems the fairest and fullest, as well as the most candid, Detail of the Matter: For which Reason I choose to leave it, as it stands, to the like candid Reflection of my Peruser ; and so pass over the two following *Paragraphs*, relating to the Cancelling the coin'd Notes, and Delivery of the Key, both which I
 imagine

imagine have been sufficiently spoke to already.

Mr. *John Moody*, one other of the Assistants, in his Examination, has not one Syllable that affects Sir *Robert* specifically : For he does not once mention his Name. I had under that Consideration therefore pass'd him unobserv'd, if the Candidness of his Confession had not render'd some Part of it a little necessary, and perhaps serviceable to my present Purpose. He says, indeed, " He look'd upon his Assistantship as only Nominal," and assigns as a Reason, " That it was not warranted by the *Charter*." I shall not enter into any Discussion of that Point, it having no Relation to the Matter in Question. He says, " That he was of the Committee of Accounts;" and sets out so well the Usefulness of that Committee in its original Institution, that would induce a Man of any Sense to say, that it was a vast Defect in their Charter, if there was not a Power to make such a Provision. When the Books and Accounts were order'd to be laid before them, as also Accounts out of the Pledge-Books; when the Accountant was directed to make out Weekly Accounts to lay before them, and frequent Reports were accordingly made from the Com-

Committee; every Man of any Perspicuity must allow, it must carry along with it an Aspect of a very promising Tendency. And how, and why, those good Institutions came to be refus'd, after the Order of 1727, for the admitting of more than the Assistants to have Voices (the Design of which Order, as I said before, was certainly meant to prevent what the Examinant here complains of) in my Opinion he pretty well accounts for; when he tells us, "That no *Reports* were made, because the several (necessary) Books were lock'd up in a Bureau, of which Mr. *Burroughs* kept the Key." The Checques, (he says) were taken off, before ever he acted; and, as I observ'd before, so they were before Sir *Robert* made his Appearance as one of the Committee, when Sir *John Meers* was Chairman. As says the *Report*, p. 37.

Mr. *Benjamin Robinson*, another of the Assistants, being examined, said, "That when he became a Proprietor, he was chose an Assistant, and attended very often at the Committees, and sum'd up the Books, and checqu'd the Notes, and did not apprehend but every thing was manag'd right."

In the next *Paragraph*, he adds to the Number of the Men of most Activity

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(which

(which several Examinants before had nominated to be *Burroughs*, *Squire*, and *Grant*) *Bond*, *Man*, and *Torriano*: But with this particular Emphasis, "That what they said " was a Law to the Committee."

He after mentions several Regulations which he had from time to time propos'd; all which were as frequently oppos'd by *Burroughs* and *Squire*, as Innovations: But he acquits Mr. *Torriano* of ever moving any such like Questions of any like Tendency. And though he says, "Sir *Robert Sutton* " brought the last License to the Committee," I persuade myself, if he would refresh his Memory, on recollection he wou'd find his Mistake, and that *Thomson* fetch'd that last License from the Secretary's Office; and that if there was a Motion of Thanks to Sir *Robert*, it was in a General Court which the *Report* takes Notice of, and upon the second, not the last, License. It appears in this Shape to me from the *Report* itself, which having at setting out resolv'd to make my constant Guide, I dare not launch out of my allotted Road.

He quotes, a little lower in the same Page, a remarkable Authority of one Mr. *Turner* of *Grays-Inn*, a known great Lawyer, as well as a prodigious money'd Man, and

a large Proprietor ; who declar'd, nevertheless, that he would not lend his Money on their Notes without their Seal was affix'd to them. And can it be imagin'd, that a Person famous for his Caution in placing out his Money to the best Advantage, and in the securest Manner, could have advis'd the clapping of their Corporation Seal to their Notes, if it had not been agreeable to their Charter ? If a Gentleman of the Long Robe could be mistaken in their Power, which was a pure Point of Law ; well sure, may the honest Part of the Committee be excused, who had quite another sort of Education.

The Examinant goes on, and says, " That he had seen the Minute-Books of *July* last, " and found the Minutes enter'd wrong." He mentions too some wrong Informations of *Thomson*, in relation to the King's Warehouses, and the *India* Warehouses ; and as he declares, he had no mistrust of the Truth thereof, I think, I may fairly conclude the Gentleman to be one of those Christian-principled, who did not care to entertain an ill Opinion of any Man, till they had some Grounds for it.

He says, " That the Assistants were not " at the Beginning of the Corporation, but

“ chose by a subsequent General Court. ”
 And he confesses, in Justice to Mr. *Molef-*
worth, “ That he had often mov’d, to have
 “ an Examination of the Warehouses, and
 “ *Thomson’s* Account of Sales; insomuch
 “ that he hath heard *Thomson* complain to
 “ the Committee of Accounts, of Mr.
 “ *Molefworth’s* treating him in such a Man-
 “ ner, and that he could not serve the Cor-
 “ poration under such Usage; and that he
 “ had desir’d Mr. *Beak* to acquaint Mr.
 “ *Molefworth* therewith. ”

“ That he never took upon himself to
 “ direct any Thing, but submitted to the
 “ other Gentlemen who had a larger Pro-
 “ perty in the Corporation. ” All which,
 with some few other Proposals to the Cor-
 poration, regarded like his former, conclude
 his Examination; and I, therefore, proceed
 to that of

Charles Waller, Esq; another of the As-
 sistants. This Gentleman’s Confession ap-
 pears equally candid with the three fore-
 going; or indeed, as if it was made in de-
 fiance of all Equivocation, or mental Re-
 servation. He but once takes any Notice
 of the Name of Sir *Robert Sutton*, and that
 in relation to the Mortgage made by *Robin-*
son to him for the Security of the Corpora-
 tion,

tion, to the Value of 14000 *l.* which having been more than once touch'd upon in these Observations, to avoid as much as possible, unnecessary Tautology, I proceed to the further Examination of

Sir *Archibald Grant*. Here Sir *Robert Sutton* is introduc'd, as telling the Examinant, " That Sir *Thomas Robinson* had apply'd to " him, to know how he might purchase four " or five hundred Charitable Corporation " Shares at a Market Price; but that he did " not expect any Favour; and that Sir *Robert Sutton*, and this Examinant, recom- " mended him to *Thomson* and *Robinson* : " And soon after, the Examinant inform'd " Sir *Thomas Robinson*, that *Thomson* could " help him to the Shares." He goes on to set in the clearest Light that whole Transaction; and, together with the next further Examination of Mr. *Matthew Lamb*, makes it apparent as the Sun at the brightest Noon, that Sir *Robert Sutton* was no otherways concern'd in that Affair, than as a Vehicle of the Purchase-Money. And the Truth of it is, that Sir *Thomas Robinson*, then intending to go abroad, was so very importunate with Sir *Robert Sutton* to act for him as a Trustee, so far as to take upon him the Payment of the Money deposited in his Hands for the intended

intended Purchase, that Sir *Robert* must have abandon'd his well known Principles of Urbanity and Humanity to have refus'd him. I know some avaritious Boutefeus, Strangers to both those distinguishing Principles of Sir *Robert*, through the Alembicks of their Malice, have endeavour'd, out of this Transaction, to extract Guilt from him, in order to produce Gold to themselves: But I have no Apprehension upon me, but that every unbiass'd and considerate Man will hold himself oblig'd, in Equity and good Conscience, from the Premises, as much as is in his Power, to disappoint all such avaritious Expectants. And no less will they think it the Part of true Humanity, to guard and defend the Integrity of Sir *Robert*; although it should appear, that his Good Nature, and some Over-tenderness towards his fellow Creatures, should have led him into some little Mistakes, which he has sufficiently smarted for in his Fortune, and, what to him is much more poignant, in his Reputation.

And now having run through the several Examinations, and taken a View of the petty Accusations, or rather the malicious Insinuations, thrown at Sir *Robert Sutton* (for there is not one of all, nay even accumulatively,

mulative, can either amount to any Proof; or if prov'd, prove criminal) I will reduce them to Heads, that my candid Peruser, seeing them all fairly laid before him, may more readily form his Judgment. And I think he will find the whole compriz'd under the six following Objections.

1. That he did not attend his Duty pursuant to his Trust.

2. That he made it his Business to draw others in to their great Loss; and even at a Time when he was sensible Matters were going wrong.

3. That he bought in Shares, and sold out at a higher Price.

4. That he was a Favourer of *Thomson* and *Robinson*.

5. That he always fell into the Measures of those who were the Horse-Leaches of the Corporation.

6. That he never look'd into the Pledge-Books.

Though I have, *en passant*, spoke to the Substance of every one of those Objections, I have here distinguish'd, and reduc'd them to Form, that I may the better give them a distinct Answer. And to

Object. 1. That he did not attend his Duty pursuant to his Trust,

Ans.

Ans. If it be granted, That Sir *Robert Sutton* did, as well in respect to his own Affairs, as an ill State of Health, stipulate, on his first Appearing at the Committee, for his being excus'd Attendance, I think this Objection will be disarm'd of all its Force: And till they can prove to the contrary, which was never yet attempted, nor any will ever be able to accomplish, that his Stipulation, with any discerning Man, must be allow'd valid. But Sir *Robert* can produce other good Reasons for his Absenting. He himself had never been conversant in Accounts: He found the Affairs under the Administration of such as had; Men of Ability and Skill that Way, and who had, Years before he was drawn in, carry'd on the whole Business. They had agreed upon, and chosen a Committee of Assistants, who were after intitled a Committee of Accounts, who, conjunctively with a long Use and Experience, had the Characters of being equal to the Work, and most of them of being very honest Men. Under all these promising Appearances, Sir *Robert* might rationally, and on good Grounds, think the Corporation and himself safe, and make himself easy. Sir *Robert* was a Subscriber about the Middle of the Year 1725, and the 18th of November follow-

following was the first Committee that I find him present at; nor do I find him present at any intervening Committee, between that and another of the same Day of the same Month the Year ensuing. This long Interval is, sure, of itself sufficient to evince the Justice of my Assertion, both as to Sir Robert's Dispensation of Attendance, and his full Reliance upon the Abilities and Honesty of those who were then in the Management. All Trusts before they are of Force must be accepted, to make them legal Trusts, by the Trustee in all its Qualities; and though Sir Robert did not at first renounce, he stipulated for Conditions, which sure is a Salvo to any Breach as to himself.

Object. 2. That he made it his Business to draw others in to their great Loss; and even at a Time when he was sensible all things were going Wrong.

Ans. I have put this Objection in the strongest Light his Enemies can frame it; yet even in this prodigious Glare, like *Aurum fulminans*, it will go off in harmless Noise. For what is this doughty Outcry? How did he draw any in? Why, truly, the most they make it amount to, will end in this, That when some People apply'd to him for his Opinion, in the Integrity of his

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Heart, he gave them his own free Thoughts. True it is, there is one Knight, and one Squire, who nibble at somewhat more of this Nature. As to the King, he advances that which no reasonable Man can believe, without believing *Sir Robert*, as well as himself, an Idiot. And the Squire advances that, which, besides the apparent Improbability of it, can, and will, be disprov'd before any Court of Judicature in the Kingdom. It may be ask'd, Why was it not done before the Committee? To which I humbly offer the following Counter-Queries. Was he ever allow'd to confront the Inventer, I mean the Asserter? Was there any Counter-Evidence ask'd for? No! Neither the Time, nor the Nature of the Enquiry would admit of it. But without all that Formality, however necessary, the very Reason of the Thing will demonstrate, That if *Sir Robert* ever did give Encouragement to any to buy in, it proceeded from a good Opinion of his own of its real Value, prov'd by the strongest Evidence in the World, his own great Interest in it. For where is the Man of common Sense, that will embarque in an Affair where a real good Opinion of it is wanting? And for any Man to offer, that *Sir Robert* had an indifferent Notion of it,

it, at the Time when he gave his Advice to others to buy, will manifestly appear to be the highest Stretch of Front, unless he can prove, that Sir *Robert* propos'd some advantageous End to himself in the Advice. Was he then selling out, as others were known to do? Sir *Robert* defies the hardiest of his Enemies to prove it by creditable Evidence, any otherwise than what the Answer to the next Objection will discover; and that will elude all that Malice itself can invent on that Head.

Object. 3. That he bought in Shares at a low Price, and sold out at a higher.

Ans. I suppose, what the Objectors intend by this Objection, if they intend any thing of Moment against Sir *Robert*, is, that he bought in Shares when they were low, on Purpose to carry them again to Market, and make Money of them, as was the Practice of most, both Committee-men and Assistants. But this is false in Fact: For though Sir *Robert*, by his Agent Mr. *Lamb*, did just before his design'd Journey to foreign Parts, and that for his Health's Sake, purchase a great Number of Shares, and that too with a Prospect of their rising in Value; yet he never sent any to Market for meer Lucre (though the Examples of others would have

kept him in Countenance if he had) but just as Necessity exacted it of him, in order to raise Money to pay in upon his Calls. And he had at the same time so good an Opinion of the Situation of the Corporation's Affairs (for want perhaps of being in the Secret as many others were) that rather than part with more Shares by Sale, than the utmost Necessity requir'd of him, he parted with an Annuity of 800 *l.* Value, to make up the Sum necessary to answer those Calls. This no prudent Man would have done, that had entertain'd the least Notion for an ill Opinion of their present Condition. Besides, his great Number of Shares still, unhappily I may say, in his Possession, are a convincing Proof of that his Belief and Integrity, and sufficient to encounter the roughest Face of Brags in any Opposer.

Object. 4. That he always was a Favourer of *Thomson* and *Robinson*.

Ans. Perhaps they only mean, That Sir *Robert* was of so singular a Temper, that he could not entertain an ill Opinion of any Man, till he had good Grounds for it; and then I shall not disagree with them. But it is not to be suppos'd but their Malice has a higher Tour. And yet if the Question were ask'd any of these Objectors; Whether

ther he or they had not long entertain'd the same good Opinion of those Men? they must condemn themselves, and most of their Actions, if they answer in the Negative. Compare their Behaviour with Sir *Robert's*, and it will clear the Point. So soon as any just Ground of Jealousy was started, upon account of *Robinson's* Balance, what does Sir *Robert*? Why, truly, he influences *Robinson* to give a Mortgage upon his Estate (and Shares, says one of the Examinants) to him in Trust for the Corporation, to the Value of 14000 *l.* which was all *Robinson* could give, and as much as Sir *Robert* (so far as he could then dive into the Matter) imagin'd him to be indebted. Sir *Archibald Grant*, and others, being perhaps more nearly in the Secret, follow that first Stroke of Sir *Robert*, and get *Robinson* afterwards to pass a sort of Security, *in nubibus*, to the further Value of 30000 *l.* Again, When *Robinson* and *Thomson* were elop'd, and the Danger too apparent, let us compare Sir *Robert's* Conduct with that of any or all his Maligners. To detect the Villainy, and seize the Villains, he not only makes immediate Application to the Secretary of State, but to several in Commission of the Peace, for Search-Warrants to stop and seize the Rascals. Nay
his

his Diligence does not stop there; but he sends his Missives over to *Paris* and other Parts beyond Sea, and uses all his utmost Interest, to have the Plunderers seiz'd, and sent over to Justice. Is this Activity the Part of a criminal Accomplice? Or can any Soul, endu'd with the least Share of common Sense, esteem the Person that is actuated with such Zeal and Vigour, a Favourer of either *Robinson* or *Thomson*? In short, the Quarrel seems to me to arise only from this; that passionate or splenetique Creatures not being able to prevail upon Sir *Robert* to precipitate into their own Chimeras (for at that Time they were little better) by way of Revenge would set up for Conjurers, and *Billingsgate* the Inadvertent into an Opinion of their Foresight. Though by the Examinations it plainly appears, that as honest Gentlemen as any of'em, of their own Society too, had no ill Opinion of *Thomson* or *Robinson* till they ran away, any more than Sir *Robert Sutton*.

Object. 5. That he always fell in with the Measures of those who were the Horse-Leaches of the Corporation.

Ans. Or, as one of them very significantly, and like himself, says, "He never knew him to dissent from *Grant*, *Burroughs*, or
" *Squire*;

" *Squire* : " But that, as I said before, was notoriously confronted by the Concession of a more Honourable Examinant. But besides that, I have prov'd, if a constant Accompanying in their Committee, and not once dissenting from them in their Acts of most Notoriety, may be interpreted (and I cannot imagine what other Interpretation they can put upon it) a Coming into the Measures of those Delinquents of theirs, not one of all the Committee or Assistant Complainants but have transgress'd often enough to silence themselves, if they had common Modesty, and to prove Sir Robert, in Comparison, a Saint. Sir Robert's Unfrequency at their Meetings, which he could not but look upon himself as excus'd from, and his not caring to involve himself in their (to him seeming) immomentous Cavils and Disputes, might probably enough dispose him to peaceable Resolutions, till such Time as they could, on one Side or the other, furnish him with somewhat solid to ground upon; which never being done, one Party takes the Freedom to condemn him as a Favourer of *Thomson*, and another has the Assurance to tax him with falling into the Measures of the top Managers of their own Fraternity. And with equal Justice, I conceive; since I
may

may defy all of them together, to prove that Sir *Robert* ever forfeited his Integrity, by encouraging any Evil to the Corporation, if his own Actions are to be depended on, either, or any way.

Object. 6. That he never examin'd into the Pledge-Books.

Ans. Nor, if he had attended as often as they would seem to have had him, and laid apart the Sanction of his Original Stipulation, was it his Business so to have done. The Question, indeed, was very properly put by the Honourable Committee of Parliament to one of the Assistant Examinants; How many times he had call'd for the Pledge-Books? Who briskly reply'd in Integers, one hundred Times at least; and to which, I hope, I may have Leave to reply, If the one hundred Times had been doubled, he had so far done but his Duty, although some Consequentials may demonstrate him to have been very remiss in other Parts. For a Confirmation whereof, I must be pardon'd, if I examine a little into the Case. By an Order of the 28th June 1726, it appears by the Report, p. 38. That the Accountant was order'd to prepare, and lay before the Committee, every Week, an Account of the Pledges that were forfeited to the Corporation.

tion. On the 8th of *July*, p. 39, *Thomson*, the Warehouse-Keeper, was order'd to prepare weekly Catalogues of the Goods, which from time to time became forfeited for want of Redemption. And at a Court of Committee of the 3d of *March*, 1726, it was order'd, That the Committee of Accounts do enquire into all Pledges made to this Corporation; and that they make a *Report*, relating to the Redemptions of Goods remaining in the Warehouses, with all Incidents attending the same. In observance of this Order (for I will not, in Deference to this Gentleman, presume to give it the Term of Obedience) the Assistants stood engag'd to call for the Pledge-Books, from time to time, in order rightly to discharge themselves. But the *Report* takes Notice, that this last Order was never comply'd with; and, perhaps, upon Examination, it will be found as near Truth as can be: Because the same Committee of Accounts, (says the *Report*) without the Privy of a Court of Committee, made an After-Order, and that very soon too, That it should appear upon each Certificate where the Pledge was lodg'd. What a Cart-Load of Enquiries would these three Orders, and the Proceedings (or rather the Non-Proceedings) thereupon, fur-

nish a curious and inquisitive Committee upon this *Briarean-tongu'd* Assistant! Would they not be apt to ask; Sir, As it was apparently your Duty to make the Enquiries and *Reports*, as order'd, and that weekly, and not immediately any Part of the Business of Sir *Robert*, even if he had been oblig'd to a constant Attendance; Why this Endeavour to raise a Dust upon him? Why did you not, as often as you demanded the Pledge-Book, acquaint or report to the Court of Committee the Refusal? Or, upon their Laughter, as you say, enter your Protest? But I am afraid, should the same Honourable Examiners ask you, upon whom you made that Demand, you would be as much at a Loss that Way: For, by your own Books, it will appear, that *Wainright*, instead of *Thomson*, had been order'd and appointed to lay those weekly Accounts before you; till you, who never, as you yourself say, countenanc'd any thing irregular, without the Privity of your own Committee, as the Honourable Committee of Parliament very well takes Notice, pass'd an Order, That the Pledges, and in what Places deposited, should appear upon the Certificates. But, Sir, Did you never sign a Certificate, where even this Part of your own

Order

Order was not dispensed with? Or rather, Did you ever purfuit it? Or, once for all, Can you produce one Certificate, that was ever by that naughty Gentleman, Sir *Robert Sutton*, fo sign'd, or fo authenticated? No! He defies you, and all your Affiftants, of both Sorts, nominal and personal, to fay or prove it. I perfuade myself, had he fet his Hand to any thing of that Nature, his Sense as well as his Integrity, would have enforc'd him to have taken Care that, he had fufficient Vouchers for what he did: Nor would he have pretended to make his own bare-fac'd Neglect an Authority for accusing or vili-fying others, upon that or any other Account whatfoever. Such are the Objections; and a Man would be apt to wonder Malice could invent fo many. I hope, however, they are answer'd fatisfactorily: But if my Hopes fhould, with fome prejudic'd Perfons, be deem'd abortive, I muft, like a Bill in *Chancery*, conclude with a Prayer to add and amend as Occafion fhall offer. Yet I cannot but fay, I pity with all my Soul the unhappy Orphans, if there be any; or indeed all fuch as were not the immediate Martyrs of their own Mammon and Avarice. Nay I could be content, or even glad, that all thofe designing and tricking Sweet-

ners, who, under a View of their own Self-Interest, drew in and betray'd the Unwary, should be treated as common Sharpers: But then I would provide, that Invention should not pass for Evidence, nor Spleen nor Envy be allow'd sufficient Authority for Conviction. That Villainies have been design'd, and perpetrated, no Man in his Senses can doubt: Or, if a Person of that Diffidence can be found, let him read intently, as I have done, the Examinations taken before the Committee of Parliament, and he will soon be of another Opinion. Yet sure it would be an out-o'th'-way sort of Arguing; that because some were guilty, all must be so. Let Men make use of Reason, and their distinguishing Faculties, and they will easily agree; that it must be an odd Way of punishing the Guilty, by involving the Innocent; or to shower upon Inadvertencies the Demerits of Crimes. By one, that I was thus under Argument with, I was told, That a Man's being Rich was sufficient to make him Guilty, where the Prosecutors were numerous and had Purse; and that opening a Vein was frequently found conducive to Health. I answer'd him, That many of the *Roman* Emperors, indeed, were of that Opinion; and to be rich was,

in

their Sense, a certain Badge of High Treason: Nevertheless, to the best of my Remembrance, no Part of their History affords us any Instance, that ever the *Roman* People prey'd upon their Plebeian Fellowship in any like Manner. The Proscriptions of *Sylla*, *Marius*, and *Anthony*, were every one the Result of Anarchy and Confusion; and exacted the Detestation of all that was sober or considerate. Shall an *English* People then assume the Tyranny of those monstrous Emperors, and doom their Fellow-Subjects, said I, however innocent, to the *Gemoniæ* or *Ostracism*, because they are reputed wealthy? Heav'n forbid! Or, at least, Heav'n be prais'd that we are blest with another sort of Constitution! Our Tryals *per Pares* give every Subject a Sanction to his Property; and the Wisdom of the Nation, compos'd of King, Lords, and Commons, will disdain to have it alledg'd, that any Subject under their Protection ever suffer'd, where no other Crime could be urg'd than that he was thought too rich. Splenetick Wretches may have other Views, and flatter themselves, that their own Inventions, and vain Surmises shall be sufficient to condemn, without Evidence according to Law, or without being confronted by the Testimonies

nies of Men of undeniable Reputation and Probity: But they will find themselves mistaken, and for want of proper Requisites to counter-balance Integrity and Character, their tumid Expectations will prove like gaudy Bubbles in the Air, flattering, but short-liv'd, and empty. This, without the Gift of Prophecy, I dare read to be the Fate of the Enemies of Sir *Robert Sutton*; whose Integrity has not, that I can see, through all the Examinations been once materially impeach'd; and whose Impeachment therefore (I now speak of his Opposers) if it depend on a like Measure of Probity, Humanity, and Christianity, must, on the Foot of their own Confessions, inevitably precede, and lead the Way, with Justice at the Heels of it, to the most stupendous Censure (if ever Sir *Robert* should fall under the Misfortune they wish and labour at), that in my Opinion ever pass'd on any Man; if the subsequent Heads, which I submit to Proof, be Fact.

First, That he was, in the Year 1725, drawn in by a Pair of Corporative Sweeteners.

Second, That on Entrance, and frequently after, he stipulated and declar'd, he neither could, nor would, be oblig'd to attend the ordinary Business of the Corporation.

Third,

Third, That under the Appointment of a Committee of Accounts, which was upon his first Entrance, he persuaded himself, he might hold himself both secure and easy, being most of 'em Persons that Way vers'd, and therefore his own Inactivity would be no way inconsistent with the general Good.

Fourth, That when the Shares, forfeited for want of Payment of their proper Calls, were by Order of Court divided among the Proprietors, and he receiv'd his Proportion with others, *he*, contrary to the Usage of *others*, restor'd, upon Application to him by the Forfeitees, all such Shares without any Advantage or Deduction.

Fifth, That he never sold out any Shares for mere Traffick or Lucre, nor upon any other Account than to raise Money to pay in his necessary Calls: And even then, so good an Opinion had he of its Likelyhood to answer, that rather than part with so many Shares as were requisite to make up his wanted Sum, he dispos'd of an Annuity of 800*l.* Value; which no Man, in his Wits, would have done, that had any Apprehension of Danger or Damage.

Sixth, That when the coyn'd Notes (as the *Report* stiles 'em) were burnt and destroy'd, it was on his first Motion, and strenuous
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Insisting upon it; nor could he rest satisfy'd, 'till he had deliver'd them into the Flames with his own Hands.

Seventh, That so soon as he found good Grounds to apprehend, that *Robinson* was any thing considerably indebted to the Corporation, he influenc'd him to make over his Estate to him, in Trust, for the Security of the Corporation, to the Value of 14,000 *l*. which, as he then apprehended, was more than *Robinson* could owe them.

Eighth, That altho' he had promis'd *Robinson* 5,000 *l*. Bonds, to support his Credit, on which, at that Time, he imagin'd the Credit of the Corporation in some Measure to be dependent; yet, upon the Execution of the Mortgage, he inclin'd to suspend the Delivery of the said Bonds for some little longer Space: But he was over-rul'd.

Ninth, That notwithstanding he had at *first* stipulated for his Non-Attendance, the Committee always experienc'd him ready to assist in every thing for the common Good; and a *General Court* once order'd him their publick Thanks for his good Services.

Tenth, That knowing the Main of their Affairs was left to the Care of a Committee of Accounts, he was, from the Beginning,
but

but little among them. Nevertheless he all along took care to avoid signing any Certificate on Pledges, leaving that Affair entirely to those who had taken the Management upon them.

Eleventh, That if ever he had been too sanguine, he had been deluded into it, by a too good Opinion, that he had to do with none but Men of Religion like himself.

Twelfth, That, nevertheless, when the Alarm was taken by the Running away of *Thomson* and *Robinson*, he exceeded in Industry and Diligence, any, or all, both Committee and Assistants, for detecting the Villainy, and securing the Villains, in order to bring 'em to Justice. And if he did decline coming into the Measures of some, for the stopping the Clamour, as they call'd it, in Parliament, by the Advance of 5,000*l.* it must be allow'd to be an Argument, That as he had done no Ill, wittingly, he apprehended no Danger; and therefore chose entirely to depend upon his own Integrity and Probity.

T H E
A P P E N D I X.

APPENDIXES are certainly very useful Things; and therefore I choose to make this, even when a modest Man would be inclinable to aver there was no Occasion for it. They are like the *Nota Bene's* in a Writing, or a *Postscript* in a Letter, which ever ought to be attended with somewhat very remarkable. Without wondering then, as many have done, how such a Charge could be laid at the Door of Sir *Robert Sutton*, on such poor and slender Evidence, and the Whole of it such as no Jury in Nature could have found a Bill upon; I shall crave Leave to make a few Observations, which his Inventory, just now publish'd, has furnish'd me with, after my *Apology* was gone to the Press, and near wrought off. And I would observe, *First*, That there is no Room for disputing the Validity and Fairness, or Fullness

ness of that Particular or Inventory; which, consequently, must be attended with a new Disappointment to the Pack of Gentlemen Proprietors, that were in full Cry, tho' on a false Scent, willing to make themselves whole by any Means, and in any Manner; since they will be as little able to prove him guilty of false Swearing, as they have done of false Dealing.

Secondly, That tho' Sir Robert Sutton, in the Beginning of it, appears in an Attitude that might command Tendernefs from any Creature endu'd with common Humanity, his Estate will appear not answerable to their greedy Imaginations, and therefore far from sufficient to glut their rapacious Expectations, were they to have the full Swing they have flatter'd themselves with.

Thirdly, That no Part of this can be said to be any borrow'd Feathers of the Corporation, or the Purchase of any Spoils of Iniquity. For notwithstanding Merit might, without a Blush, have rais'd him to an ampler Station, his over-thrifty Planets have sunk his Fortune, in this fatal Undertaking, beneath the Affluence they before found him.

Fourthly, That his Account, in his Corporative Capacity, makes it evident, that thro' all the pretended Advantages laid
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to his Charge by buying and selling of Shares, he will at last be a great Loser; which, of itself, if they had any Shame in 'em, were enough to confound all his Enemies, and put the whole Hue and Cry out of Countenance.

Fifthly, That in common Reason and Justice, his own Innocence as to what he is accus'd of, and the Malignity of his evil-dispos'd Pursuers, ought to engage every Person of Temper or Humanity in his Favour; since no Man can foresee his own Fate, if Malevolence is to be allow'd as Evidence, or a Confidence misplac'd should be prejudicated criminal enough for Condemnation. In short, there is such a continued Series of Honesty and Integrity runs thro' the whole Examination, I mean, as well as Inventory, that, I am apt to think, must move every Person of any Consideration to confess, that Sir *Robert Sutton* has not met with that favourable Usage that an honest Man might lay Claim to. What a Glory would it be to the *English* Nation, should a meritorious Member of it, and an Ornament to it, fall a Victim to Malice, Cavil, and Hearsay?

F I N I S.